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16. Abstract

This report to the Federal Highway Administration presents a ten point program designed to increase consideration and implementation of joint development and multiple use in the highway development process. The ten point program is a combination of Federal actions including policy modifications, promotional activities, monitoring, and evaluation. It includes recommendations for approaches and actions by other agencies and entities involved in joint development and joint highway planning.

Ten highway joint development projects were investigated indepth as part of this study. Reports on these projects are included herein as Volume II.

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Highway Planning

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THE REPORT ON HIGHWAY JOINT DEVELOPMENT

I Part I Executive Summary & Recommendations
- E Executive Summary
- 1 Overview and Summary of Recommendations

II Part II Technical Report
- 2 Joint Development Benefits
- 3 Techniques for Joint Development
- 4 Opportunities for Joint Development
- 5 Detailed Findings and Recommendations
- 6 Summary: The Ten Point Program for Joint Development

III Part III Project Reports & Bibliography
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The Report on Highway Joint Development

Part III Project Reports & Bibliography

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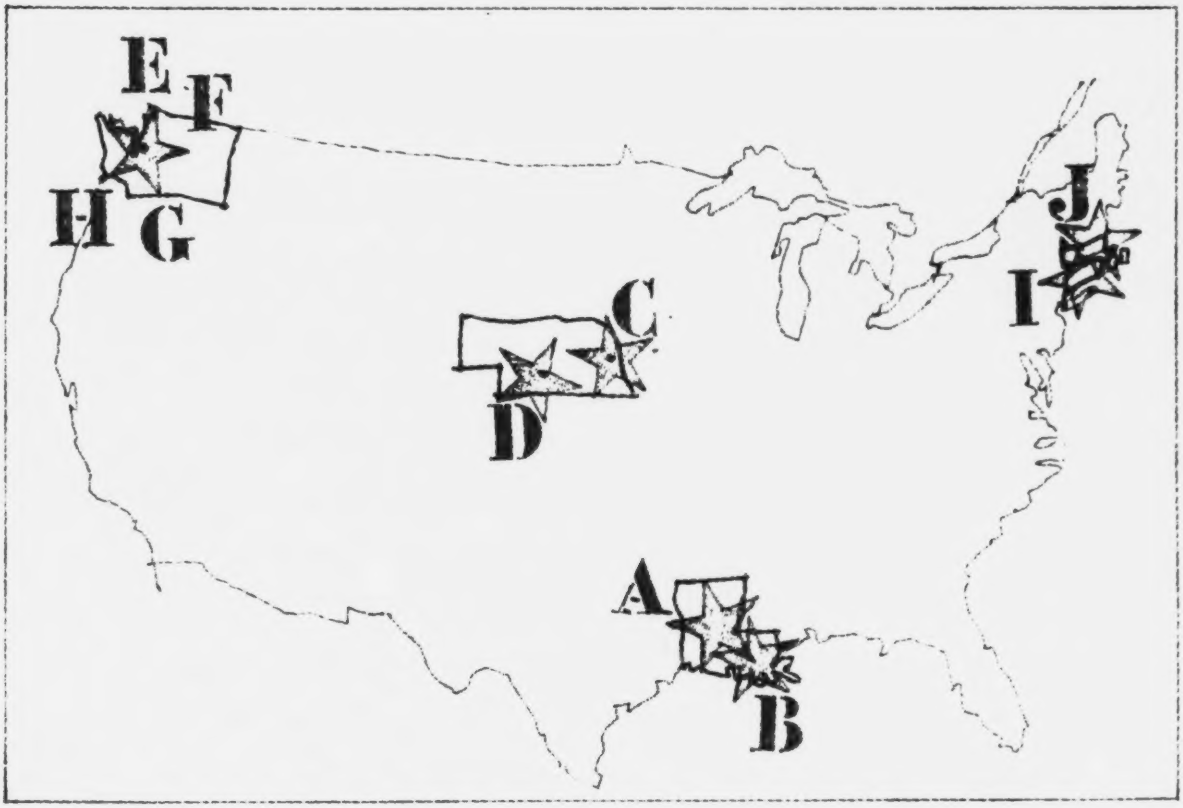

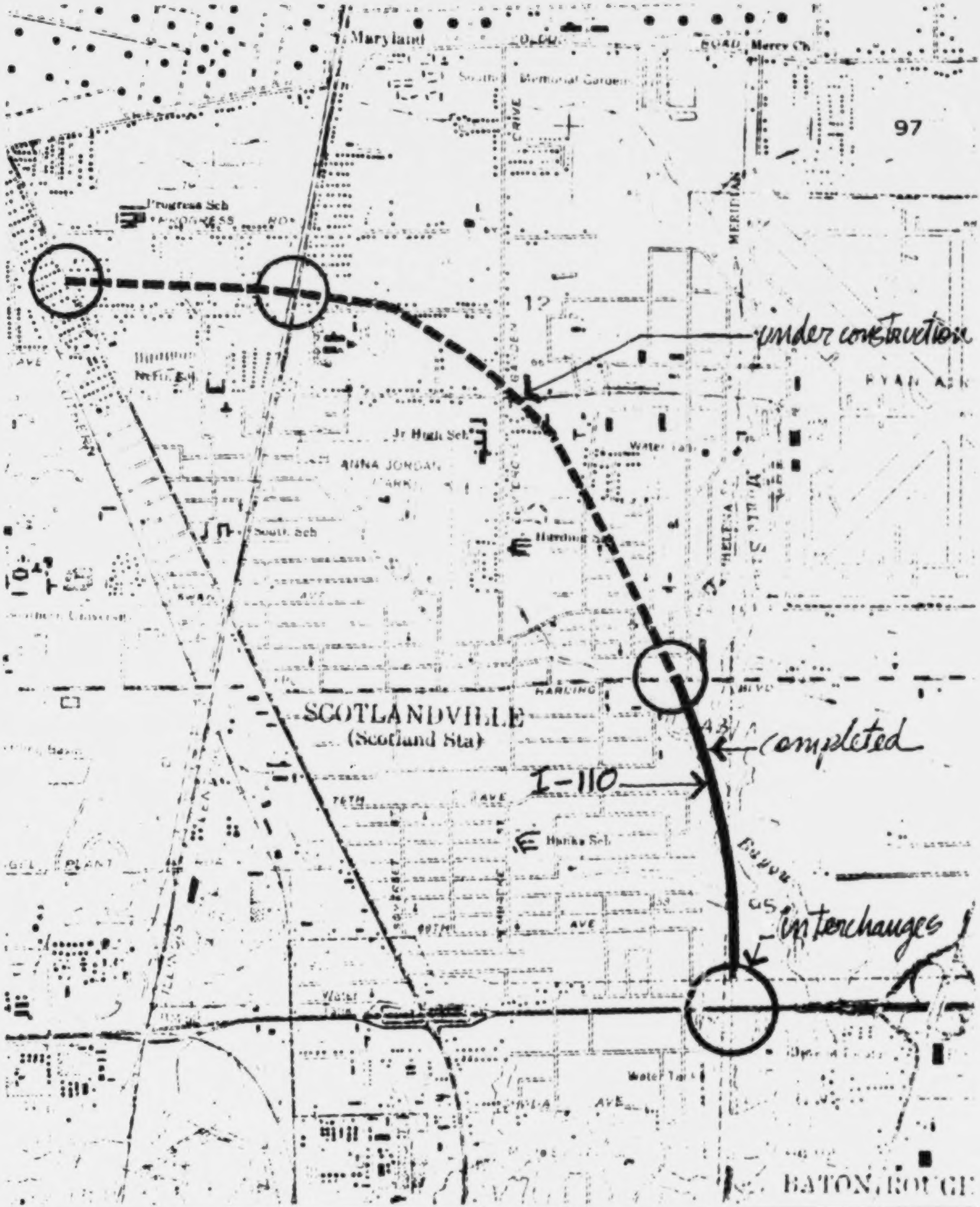
Maryland
Memorial Garden
97
Progress Sch
PROGRESS RD
12
under construction
RYAN AIR
McKinley Sch
Jr High Sch
ANNA JORDAN PARK
Water Tank
Scott Sch
Harding Sch
Southern University
HARDING BLVD
SCOTLANDVILLE
(Scotland Sta)
completed
I-110
76TH AVE
Banks Sch
65
interchanges
PLANT
Water Tank
BATON ROUGE

SCOTLANDVILLE BYPASS, I-110 : AREA MAP

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7.1 Scotlandville Bypass, I-110 Baton Rouge, Louisiana

PROJECT OVERVIEW

The Scotlandville Bypass is a 3½ mile interstate spur just north of the incorporated area of Baton Rouge. One and a half miles are complete with two under construction. Included in the design of the bypass are 50 acres of park and recreational space located on the right-of-way and other acquired remnants. The recreational development (and its planning) has been funded through the Federal-aid Interstate program, as part of the highway design and construction budget. Ongoing management and maintenance of the recreational facilities is the responsibility of the Baton Rouge Recreation and Parks Commission (BREC), the Parish (county) of East Baton Rouge, which includes the city and surrounding areas.

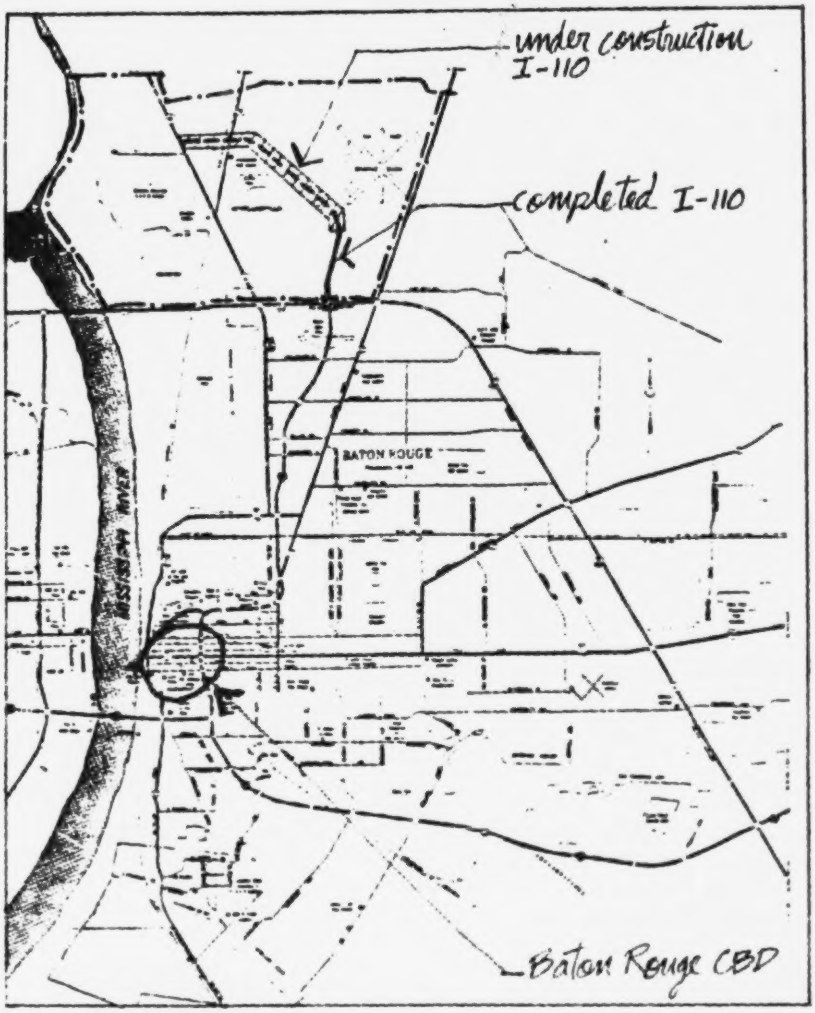
The Office of Highways, in the Louisiana Department of Transportation and Development (DOTD), is the state department responsible for constructing and managing the state's highway system. In 1968, planning for the Scotlandville Bypass had determined the centerline of the ROW, but precise property taking plans had not been established. In early 1969, a combination of events led to the commencement of a Joint Use Study designed to advise DOTD about opportunities for a more sensitive highway design, to increase community benefits from the proposed highway and to avoid a potential maintenance burden. Three of these events were:

1. A growing community consensus that the proposed highway on an embankment through the community would have severe local adverse impacts.

2. The promulgation by FHWA of a new policy and procedural memo outlining and clarifying joint development policy and its expected use with new highways.

3. The passage of the National Environmental Protection Act (NEPA) requiring environmental impact assessments of proposed major actions involving federal funds.

In response, Louisiana DOTD asked their engineering consultants, Modjeski and Masters to assemble a design team to prepare a detailed location study and joint use plan for the 3½ mile Bypass. The study was conducted in less than one year and included the following recommendations:


under construction I-110
completed I-110
BATON ROUGE
MISSISSIPPI RIVER
Baton Rouge CBD

METROPOLITAN CONTEXT MAP

BADLEY ROAD AREA

1. Alteration of the highway centerline alignment to avoid isolation of a small portion of the Scotlandville community.

2. Elevation of much of the highway onto a bridge structure instead of on a raised embankment.

3. The use of all ROW not ultimately taken up by road surfaces for parks and recreational areas.

4. Construction of several industrial and commercial buildings under part of the elevated structure.

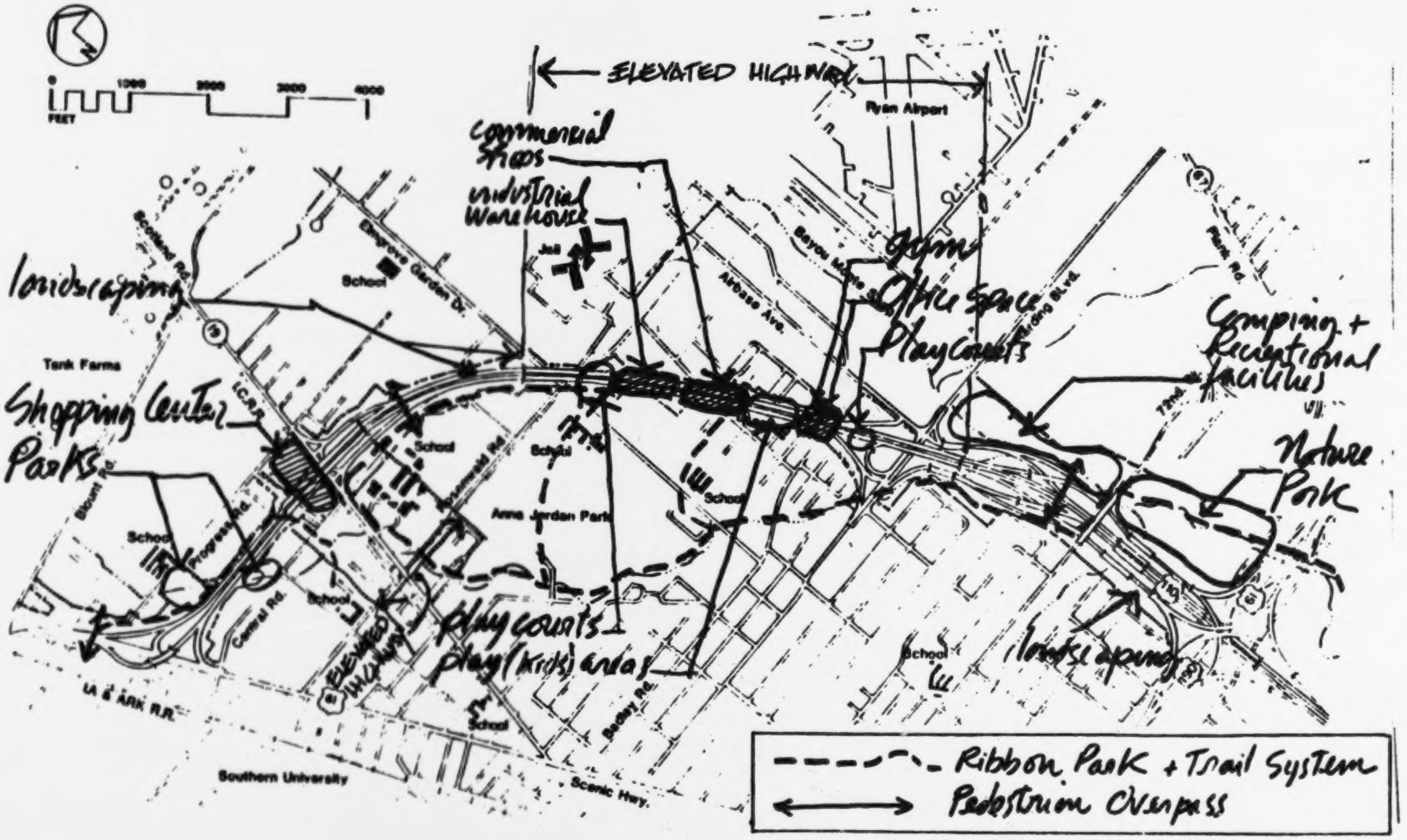
5. Alteration of several ramp connections to local arterials.

6. Acquisition of excess property beyond the R.O.W. in selected areas to accommodate specific recreational activities.

DOTD accepted those recommendations which proposed recreational activities for all surplus acquired property (#3) and redesigned the highway on an elevated structure (#2) to avoid dividing the small community of Scotlandville. They did not accept the other recommendations (#1, 4, 5, and 6) which proposed excess acquisition, alignment changes, or private investment. Construction was started immediately on the first 1.5 miles, while the last two miles were held up for the Environmental Impact Assessment review process. All Joint use proposals, however, were included in the E.I.S.

In Section 1, which is now complete, there are successful park areas, including bike paths, picnic areas, and small tot-lots. The remainder of the facilities are under construction.

SCOTLANDVILLE PARK


0
1000
2000
3000
4000
FEET
ELEVATED HIGHWAY
Ryan Airport
commercial Shops
industrial Warehouse
Jail
School
Glengrove Garden Dr.
Scotland Rd.
landscaping
Tank Farms
Shopping Center
Parks
I.C.R.R.
School
School
Anna Jordan Park
School
Blount Rd.
School
Progress Rd.
Central Rd.
School
ELEVATED HIGHWAY
play courts
play (kids) areas
School
Badley Rd.
LA & ARK R.R.
Southern University
Scenic Hwy.
Airbase Ave.
Bayou Mocre
gym
Office space
Playcourts
Plank Rd.
Camping + Recreational facilities
72nd
Nature Park
School
landscaping
Ribbon Park + Trail System
Pedestrian Overpass

JOINT-USE PROPOSALS : 1970

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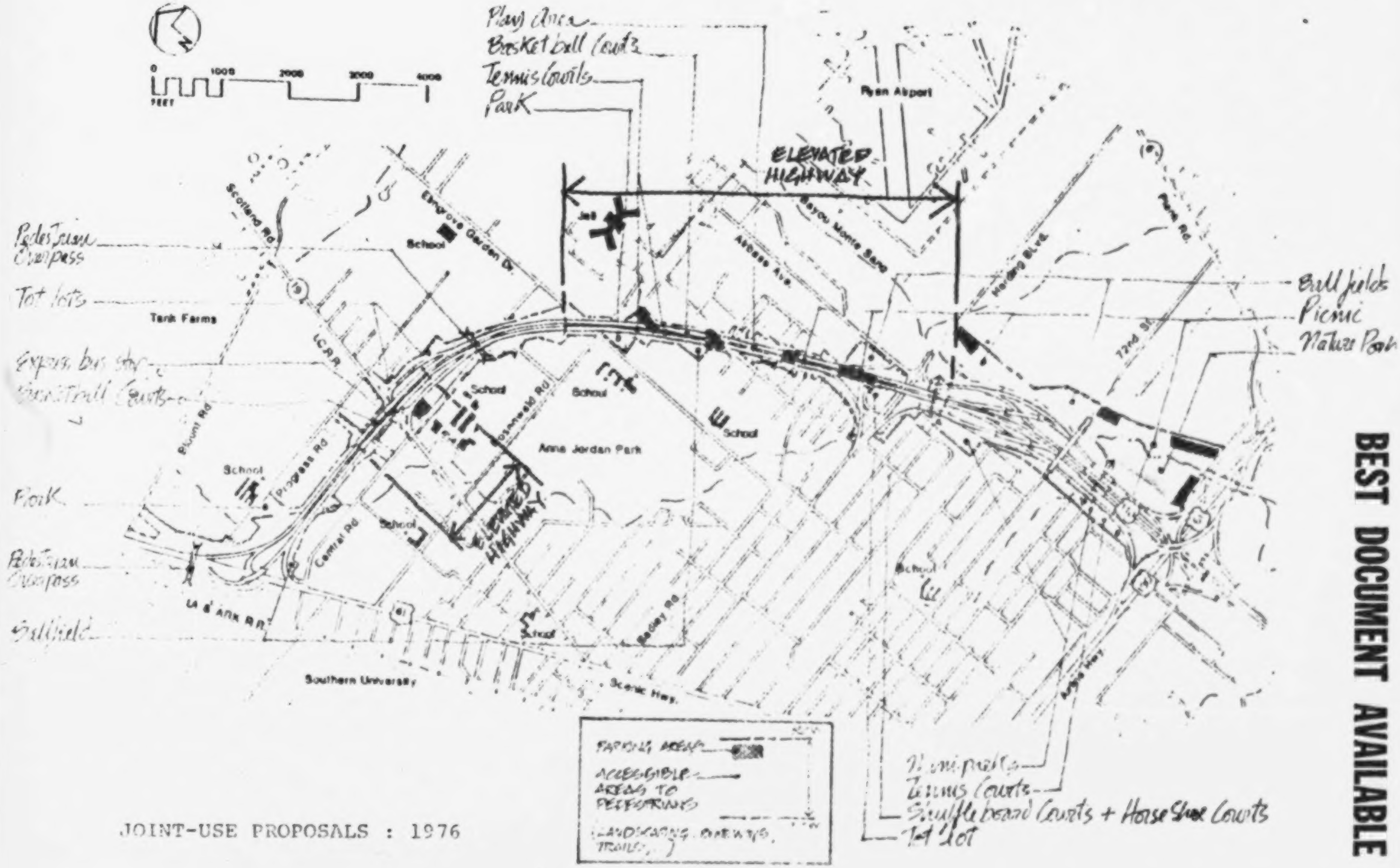

0
1000
2000
3000
4000
FEET
Play Area
Basketball Courts
Tennis Courts
Park
ELEVATED HIGHWAY
Ryan Airport
Jail
School
Elmgrove Garden Dr.
Scotland Rd
Bayou Monte Sano
Airline Ave.
Harding Blvd.
Plank Rd.
72nd St.
Pedestrian Overpass
Tot lots
Tank Farms
Express bus stop
Basketball Courts
LCRR
Blount Rd
Progress Rd
Rosenwald Rd
Anna Jordan Park
Central Rd
ELEVATED HIGHWAY
Park
Pedestrian Overpass
LA & ARK RR
Ballfield
Southern University
Scenic Hwy.
Badley Rd
Ball fields
Picnic
Nature Park
Mini-parks
Tennis Courts
Shuffleboard Courts + Horse Shoe Courts
Tot Lot
PARKING AREAS
ACCESSIBLE AREAS TO PEDESTRIANS
(LANDSCAPING, BIKEWAYS, TRAILS,)

JOINT-USE PROPOSALS : 1976

PROJECT ELEMENTS

As shown in the table below, there are three joint development elements, the highway itself, the associated park and recreational facilities, and the planning study which laid the basis for the entire project.

Element	Technique	Property	Participants
1. I-110 Highway.	Extra expense for bridge structure	ROW	DOTD/FHWA
2. Public Park areas.	Intergovernmental Cooperation.	Includes surface rights, adjacent land, including ROW and remnants.	DOTD/BREC FHWA community.
3. Planning study.	DOTD Planning funds.	-	DOTD Baton Rouge City government, community consultants.

1. Interstate I-110; Scotlandville Bypass

The 3½ mile bypass begins at Scenic Highway, to the north, goes thru the residential neighborhood of Scotlandville, and connects to the loop road, U.S. 61 and 190, and the continuation of I-110 to downtown Baton Rouge. Right-of-way has been acquired for the entire length, and is predominately cleared. Estimated construction costs for the final 2½ miles under construction are approximately $20 million. Substantial design changes to the highway, specifically its construction on an elevated structure instead of an embankment made the full joint development of parks and recreational facilities possible.

BADLEY ROAD AREA

R.O.W. CLEARANCE
BY BADLEY ROAD

2. Parks and Recreational Areas

Included in the highway construction package has been the development of the recreational areas adjacent to the highway where on grade or embankment, and under the highway where elevated. All recreational development is limited to property acquired by DOTD for the highway itself. In several cases, however, the taking pattern was designed to accommodate specific recreational activities, while at the same time minimizing relocation. For instance, at the corner of Badley Road, an entire block was taken, and will be developed as a baseball diamond.

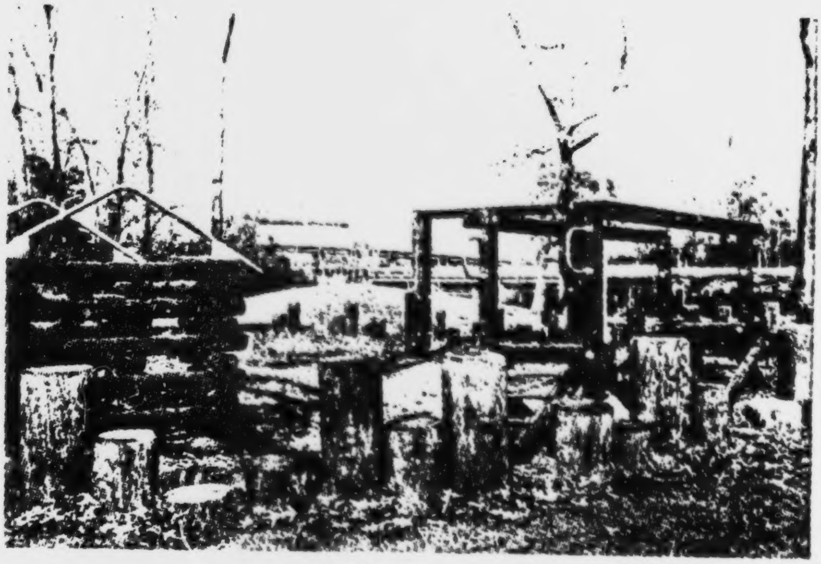
An important aspect of the development of these recreational areas is the partnership between the Louisiana DOTD and BREC, involving both construction and ongoing management of the areas. Louisiana DOTD, using 90/10 Federal-aid Interstate funds, constructs the entirety of the parks, with the exception of elements considered as play equipment (Basketball backboards, tennis nets, etc.). These last items will be furnished by BREC, as they are not eligible for funding under FHWA guidelines.

After completion of the parks, Louisiana DOTD enters into a Use Agreement with BREC (this has been done for the completed section) which transfers control over the property and responsibility for maintenance to BREC. Similar agreements will be written for the remaining recreation areas as they are completed. The arrangement involves a capital expense by DOTD in exchange for the elimination of an ongoing maintenance/management expense.

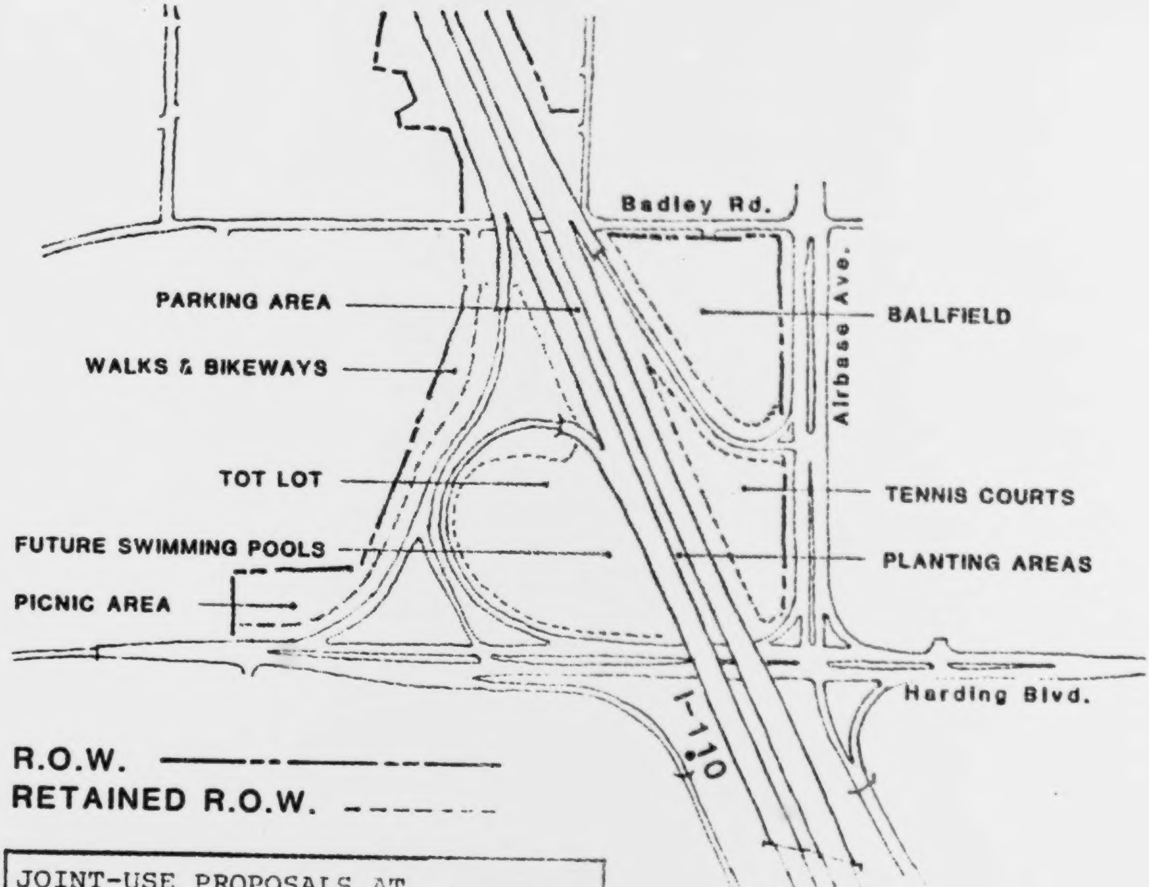
3. Joint Development Planning Study

Louisiana DOTD carefully constructed a planning team for the Scotlandville study to include consultants familiar with both highway design and local land use and community issues. During the course of the study, the team worked closely with the local community and all Baton Rouge City and Parish officials, especially those at BREC. The property transferred includes all that acquired by DOTD, except that required for actual roadway use. Under elevated sections of the highway, the definition of transferred property includes air space up to one foot under the highway structure.

The value of this transfer is perhaps greater than the actual value of capital investment transferred because of the relative poverty of Louisiana towns and cities compared with the health of the State. Baton Rouge, for instance, hasn't passed a bond issue since 1965, making capital funds for city investments extremely rare. The DOTD contribution



SCOTLANDVILLE PARK


Badley Rd.
Airbase Ave.
PARKING AREA
BALLFIELD
WALKS & BIKEWAYS
TOT LOT
TENNIS COURTS
FUTURE SWIMMING POOLS
PLANTING AREAS
PICNIC AREA
Harding Blvd.
I-110
R.O.W.
RETAINED R.O.W.

JOINT-USE PROPOSALS AT
HARDING BLVD. INTERCHANGE (1976)

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is therefore well received and appreciated by both city and community.

Planning and Construction Support

Louisiana DOTD has contributed to the definition of local recreational needs, by sensitive use of available highway planning funds with the highway. The planning activity has been limited to consideration of what can be done with highway property in the community context. While it is not a comprehensive planning activity, it is a process designed to make optimum use of available land and federal-aid resources.

There were two over-riding intents of the study. First was to avoid an organized community opposition to the highway increasing community participation. Second was to increase the level of community benefits with the highway.

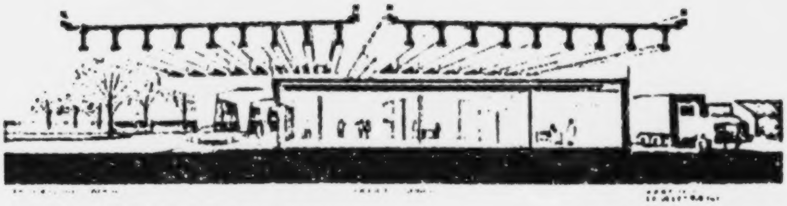
JOINT DEVELOPMENT TECHNIQUES

There are two joint development techniques seen in the Scotlandville project, intergovernmental cooperation between Louisiana DOTD and BREC, and the expenditure of extra highway funds to create and support joint development activities - planning and construction.

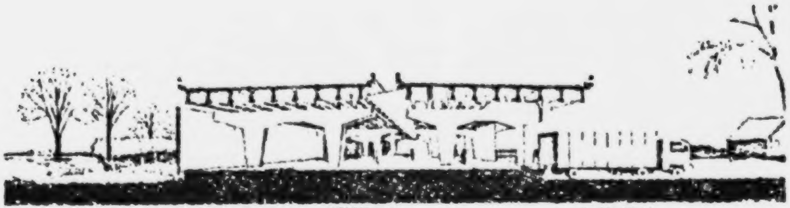
Intergovernmental Cooperation: Active Development

In the Scotlandville project, Louisiana DOTD and BREC entered into a cooperative agreement whereby DOTD expended its capital funds on property to be transferred to BREC. Upon completion of each section of the recreational facilities, the property is transferred to BREC by means of an unrecorded "Use Agreement." The agreement is similar to a long term lease, although a more formal agreement would record the transfer with the Parish Registry of Deeds.

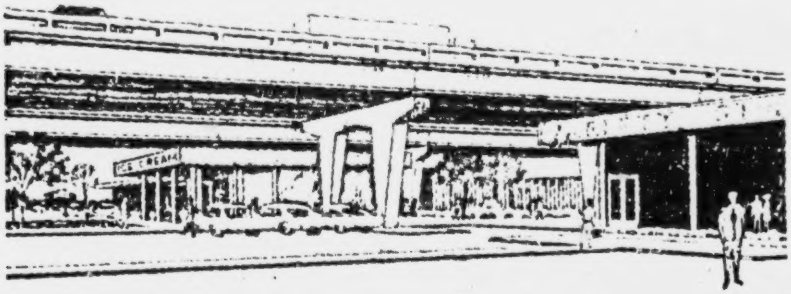
There was an additional cost of several million dollars for construction of large sections of the highway on elevated structures, as opposed to on an embankment. These costs and the marginal extra costs of the recreational improvements have been expended specifically to provide community benefits. In exchange, DOTD will not have maintenance burden in this area.



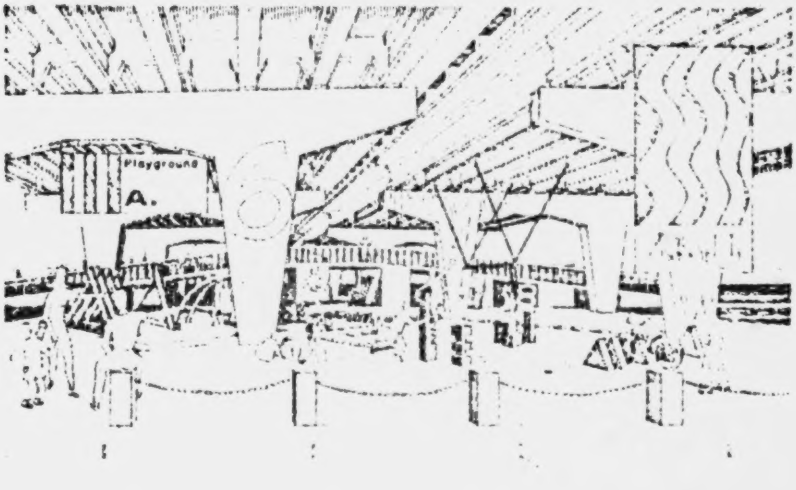
OFFICE SPACE DEVELOPMENT



WAREHOUSE DEVELOPMENT



COMMERCIAL DEVELOPMENT UNDER ROADWAY AT SCOTLAND AVE.


Playground
A.

INTENSIVE USE CHILDREN'S PLAY AREA

JOINT-USE
PROPOSALS : 1970

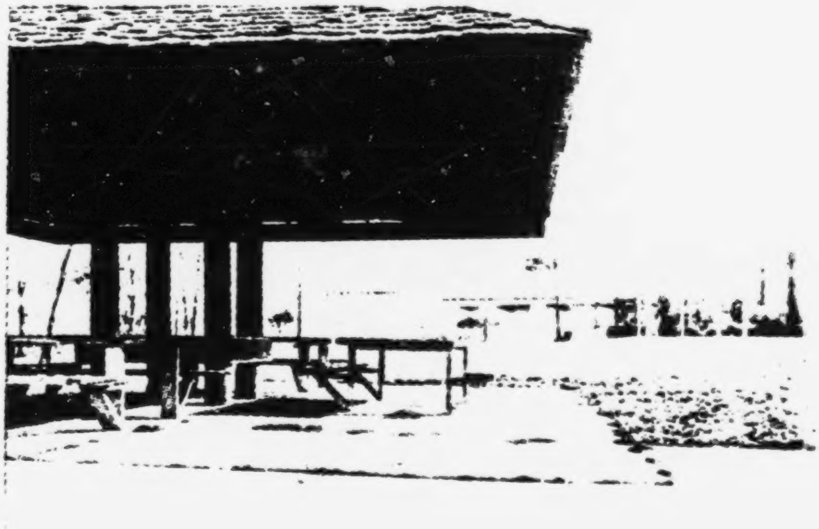
CHRONOLOGY

1963		Commencement of study identifying need for Scotlandville Bypass.
1965		Last Approved City-Parish Bond Issue for local public capital expenditures.
1968		Commencement of detailed planning for Scotlandville Bypass; Preliminary design, centerline of R.O.W. established.
1969	January	FHWA issues Interim PPM's (21-19; 21-2-19) on Joint Development.
1969		NEPA passed by U.S. Congress. EIS required for final 2½ mile length, prior approval for 1 mile continuation eliminates EIS requirement for that segment.
1969	March	Louisiana DOTD asks Modjeski and Masters to assemble team and prepare Joint Use plan.
1969	July	Commencement of Joint Use Study.
1970		Completion of Joint Use Study.
1970		Baton Rouge municipalizes bus companies, improves service to Scotlandville area.
1972		First 1 mile segment under construction.
1973		Baton Rouge City Planning Department prepares general plan, includes Scotlandville Bypass.
1974	July	Draft EIS made available to CEQ, other involved agencies and entities. EIS includes Joint Use elements.
1974		Southern University prepares study "Scotlandville Before the Highway," an analysis of land use, population, and economic conditions.

1976	July	Final EIS approved for final 2½ mile segment of I-110 Scotlandville Bypass, including Joint uses.
1977		Baton Rouge Interstate Joint Use Study completed (city-wide analysis of Joint Use opportunities).
1978	February	Use Agreement signed between BREC and Louisiana DOTD for completed and future recreational areas.
1980	February	Construction continues along I-110. All right-of-way acquired, cleared, recreational facilities under construction simultaneously with highway.

BADLEY ROAD AREA

SCOTLANDVILLE PARK:
BALLFIELD



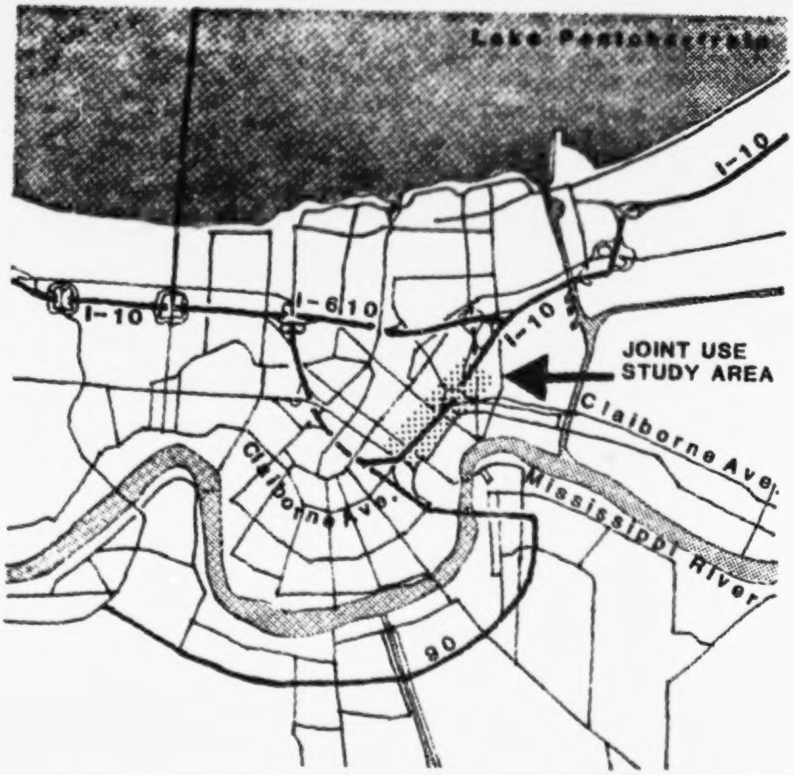
SCOTLANDVILLE PARK:
PICNIC AREA

MAJOR ACCOMPLISHMENTS

The development of recreational areas in conjunction with the highway is important from two points of view. First, it has provided Scotlandville residents with much needed recreational space and facilities. The planning and development of these facilities, with community input, is an action which the City-Parish government would not have undertaken, noting both a lack of funds and interest. The public investment, as such, can be considered a net gain to the city, not a redistribution of local expenditures.

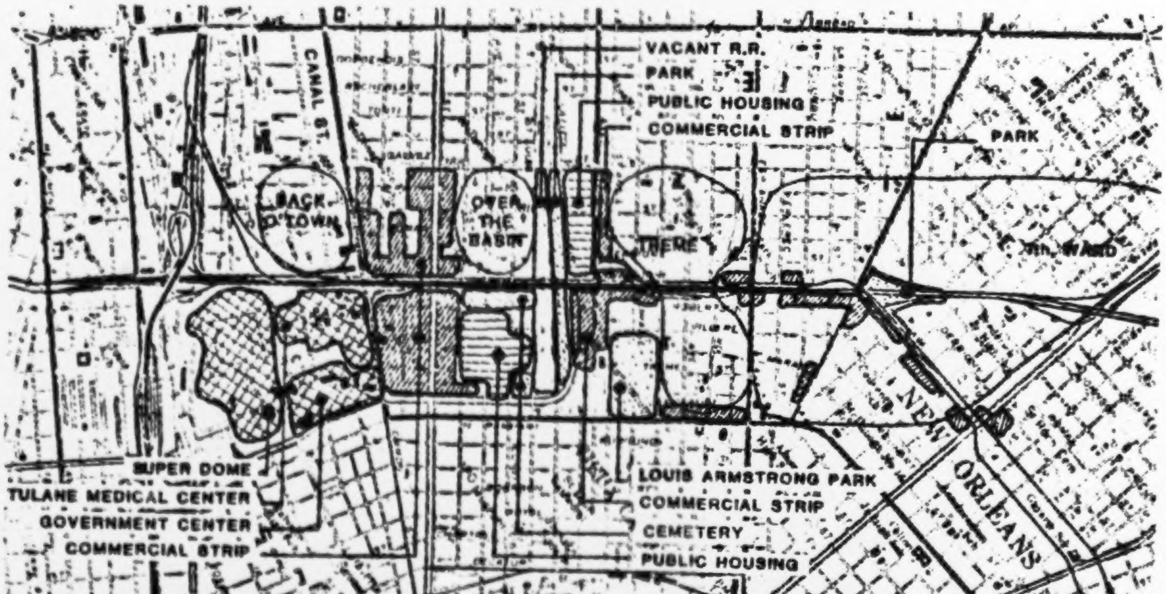
Second, the design of the highway itself has been carefully integrated into adjacent residential areas by use of recreational buffer zones and street connections under the structure. While this is a definite improvement over a highway on an elevated embankment, it is not necessarily an improvement over no highway at all, or several alternate highway locations. The coordinated land-use and transportation planning and careful cooperation between Parish and State have been influential in the effective joint development implementation (see Points 1, 2, The Ten Point Program). The recreational areas funded by FHWA/Louisiana DOTD have made the imposition of the highway thru Scotlandville more acceptable than as originally planned. The Joint Use planning process did not, however, affect several major design decisions, especially the location of the right-of-way center-line. The recreational areas are acting as putty in between incompatible uses and are not yet integral to the highway planning and design process.

Because of the uncertainty in whether or not private investment represented a legitimate project component, the State opted for a fully public project. Point 6 and 7 of The Ten Point Program would have been instrumental in this respect.


Lake Pontchartrain
I-10
I-10
I-610
I-10
JOINT USE STUDY AREA
Claiborne Ave.
Claiborne Ave.
Mississippi River
90

CLAIBORNE AVENUE:
AREA MAP

CLAIBORNE AVENUE:
LAND-USE MAP


CANAL ST.
VACANT R.R.
PARK
PUBLIC HOUSING
COMMERCIAL STRIP
PARK
BACK O'TOWN
OVER THE BASIN
THERE
7th WARD
SUPER DOME
TULANE MEDICAL CENTER
GOVERNMENT CENTER
COMMERCIAL STRIP
LOUIS ARMSTRONG PARK
COMMERCIAL STRIP
CEMETERY
PUBLIC HOUSING
NEW ORLEANS
RIVER

7.2 Claiborne Avenue,I-10 New Orleans,Louisiana

PROJECT OVERVIEW

For two miles in downtown New Orleans, the southern most coast-to-coast Interstate in the country sits on an elevated structure above Claiborne Avenue. Before the highway was constructed, Claiborne Avenue was a wide boulevard with a tree lined median. Earlier this century, trolley lines also ran on the center of the median. The study area is a mixture of neighborhoods including several Black, low income residential areas, an old railroad yard, a local commercial center, two public housing projects, a cemetery, and an institutional/industrial community. Additionally, the highway crosses two main streets - Canal and St. Bernard, both major means of arterial access to the New Orleans CBD and Vieux Carre. Within the study area are three exit ramps from I-10, the closest exits for highway travellers to reach the Vieux Carre, French Quarter, on the Mississippi River.

Following construction of the highway in 1968/69, community interest in replacing the lost recreational space and symbolic community center grew. Claiborne Avenue had previously been the site of alternative Black Mardi Gras parades, and a music and entertainment center for the Black community. With the help of Dr. Rudy Lombard, a sociologist, Tamborine and Fan, Inc. (one of the Mardi Gras organizations) prepared a proposal for a $600,000 planning study to consider methods of compensation to the community through public investment. (Like the Mummers in Philadelphia, Mardi Gras organizations are active year round and engage in much more than entertainment and parading.)

The proposal was given to the Mayor's Office in 1970. The Mayor deferred consideration to the City Planning Department. Two years later, a Mayoral decision established that since the new highway had been constructed by the Louisiana Department of Transportation and Development (DOTD), responsibility for remedial actions, or amelioration, belonged to DOTD. A three way conversation between Tamborine and Fan, City Planning and DOTD commenced.

Having just completed an effective Joint Use study in Scotlandville, DOTD was familiar with the problem, and with planning and implementation mechanics for joint development, of highway corridor property. They brought in Modjeski and Masters, a New Orleans based engineering firm familiar with highway issues and joint development to help unravel any deadlock, and coordinate the multi-faceted planning study. Within a year a study

BEFORE:
Claiborne Ave. Corridor
from St. Bernard Ave.;
July 1966

AFTER:
Claiborne Ave. Corridor
Towards St. Bernard Ave.;
May 1968

team had been assembled by Modjeski and Masters and Dr. Lombard, and included local architects Perkins and James, Anthony Gendusa, and others to proceed with the Claiborne Avenue Multi-Use Study.

Seven years later, several study elements have been completed, although most of its recommendations have remained in their conceptual states. A few other temporary uses have been established under the highway. This project report considers the study, its implementation, and the other actions which have ocurred along Claiborne Avenue.

PROJECT ELEMENTS

There are five Joint Development elements along Claiborne Avenue. These include a planning study, and several land use activities and investments which have occurred along and under the highway since commencement of the study.

Element	Technique	Property	Participants
1. Multi-use study.	DOTD planning aid.	Corridor ROW and adjacent vacant land.	DOTD/FHWA consultants community.
2. St. Bernard Recreational Areas	Intergovernmental Cooperation, Active Development, Use Agreements.	Surplus ROW under/adjacent.	DOTD/FHWA city
3. Parking and visual improvements	Blind Transfer.	Surface Area under highway.	City U.S. HUD
4. Misc. Public Uses.	Intergovernmental cooperation Transfer	Surface Area under highway.	DOTD other City agencies.

Element	Technique	Property	Participants
(continued)			
5. Future Corridor Development.	Unclear. Tax districts and public-private development.	Corridor highway & adjacent private.	Special development District, City, DOTD, FHWA (HUD-EDA?)

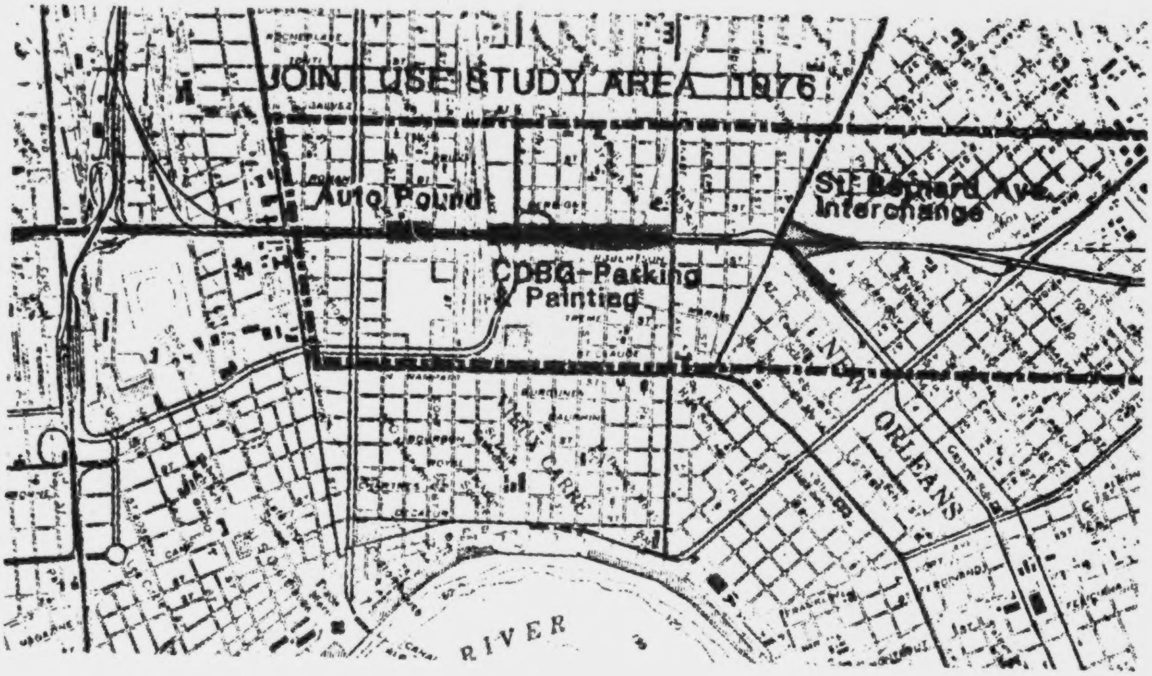
1. 1976 Multi-Use Planning Study

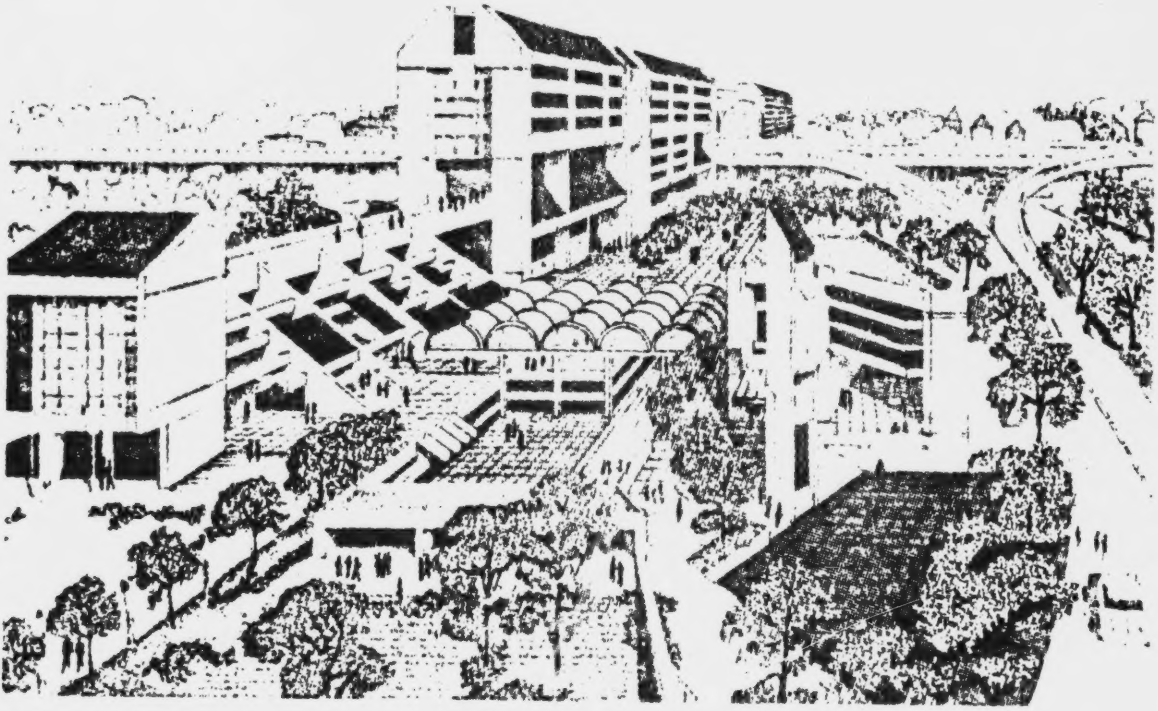
The Claiborne Avenue Design Team (CADT) began its work in 1973, and submitted its final recommendations in 1976. These included a substantial historical analysis of the area, noting particularly its importance as the source of New Orleans Jazz in the early 20th Century. Community needs were examined through sociological and physical survey work; physical and land use opportunities were identified during an urban design phase. Several implementation options were investigated, involving semi-public development entities utilizing various forms of federal capital subsidy.

CADT recommendations included much public urban landscaping, the alteration of several highway ramps, public investment in community services, private development, acquisition of adjacent unused railroad land, and many symbolic, visual improvements to the corridor. Implementation strategies included tax increments, financing and special district designation. The project was estimated to cost between $9 million and $82 million dollars. These recommendations were made to both DOTD and the City government, neither of whom had the funds or capabilities of full implementing the proposals. Only one of the study recommendations has been accepted and implemented - the Hunters Field Recreational area at St. Bernard Avenue. The remaining elements were considered too ambitious, and beyond the range of the 1976 (and today's) urban financial market in New Orleans. In place of the other improvements, the City of New Orleans has undertaken several temporary improvements, without DOTD or FHWA participation.

2. St. Bernard Recreational Area (Hunters Field)

At the intersection of Claiborne Avenue and St. Bernard Avenue is a 12 acre recreational complex built by DOTD and managed by the City of New Orleans. Contracts will be let this spring for the construction of an additional 8 acres,


JOINT USE STUDY AREA 1976
Auto Pound
St. Bernard Ave. Interchange
CDBG-Parking & Painting
NEW ORLEANS
RIVER



1976 MULTI-USE PLANNING STUDY: Commercial Area Proposal between Basin St. and Orleans Ave.

to be funded by Louisiana DOTD with 90 percent Federal-aid. Associated with this development will be the construction of an administration building for the park, funded by the "People of New Orleans, Community Development Grant." The entire recreational area was called for as one aspect of the Claiborne Avenue Multi-Use Study.

The existing recreational area, built at an initial cost of $391,000, includes an open ball field, several sitting and small play areas, a fountain and an amphitheatre. In addition, some light decorative painting was added to several highway columns.

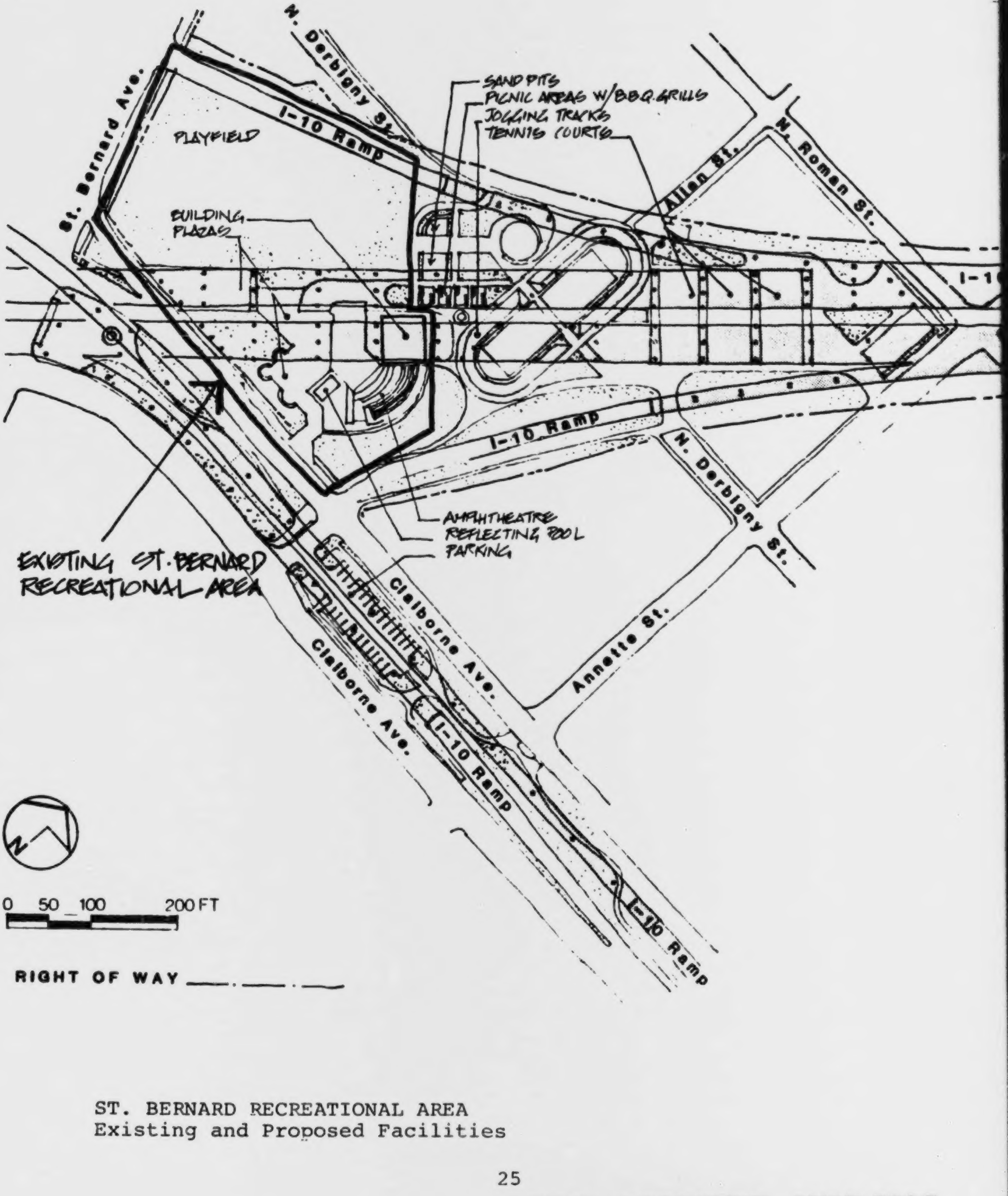
While the play field appears to be well used, the area around the amphitheatre suffers from a lack of maintenance and less than full use, possibly because highway noise is amplified in the amphitheatre. Nearby, there are several other recreational areas, including treelined boulevards which do not have the disadvantage of being located under and adjacent to an elevated highway.

The second phase of recreational development at Hunters Field, expected to begin construction in the Spring of 1980, will cost approximately $1,650,000. It will also be funded by Louisiana DOTD, with 90 percent Federal-aid. This development will add parking, more hard surfaced sitting and play areas and Tennis courts.

Of the planned developments, these improvements have been the easiest to implement. They are strictly public purpose and interest activities, and involve no private investment and practically no city investment. Thus, public-private cooperation is not required and intergovernmental relations are kept to a minimum. Furthermore, these improvements are specifically included in the FHWA Program Manual as activities eligible for federal funds participation.

3. Parking and Image Improvements

With $900,000 of Community Development Block Grant funds from H.U.D., the City of New Orleans and local community groups are improving site conditions under the highway between Lafitte Avenue and Esplanade Avenue. The city has paved the areas under the highway, such that it may be used by local residents and adjacent businesses for parking. Community residents are engaged in painting the highway columns with bright colored graphics, and hanging banners from the highway structure. The parking is also expected to serve Mardi Gras visitors in the most active weeks.


SAND PITS
PICNIC AREAS W/B.B.Q. GRILLS
JOGGING TRACKS
TENNIS COURTS
PLAYFIELD
BUILDING
PLAZAS
AMPHITHEATRE
REFLECTING POOL
PARKING
EXISTING ST. BERNARD RECREATIONAL AREA
St. Bernard Ave.
N. Derbigny St.
I-10 Ramp
Allen St.
N. Roman St.
I-10
Claiborne Ave.
Annette St.
0 50 100 200 FT
N
RIGHT OF WAY

ST. BERNARD RECREATIONAL AREA
Existing and Proposed Facilities

These improvements are being funded by the City and U.S. HUD, not by Louisiana DOTD although they also are eligible items. New Orleans is concerned that it retain its right to apply for Federal-aid joint development funds for more significant projects, at such a time as the development market exists. It is felt by the City officials that State and Federal highway officials will support only one joint development funding request per location, and that temporary, low cost improvements would be considered as final actions, precluding future requests.

The parking, painting and banners are viewed by the community as an interim use of the vacant space under the highway. They envision future corridor development to be similar to that described in the Multi-Use Study, but are prepared to wait until the development market will support such an activity. In the interim, they have opted to make temporary improvements so as to be able to use the available space at little cost.

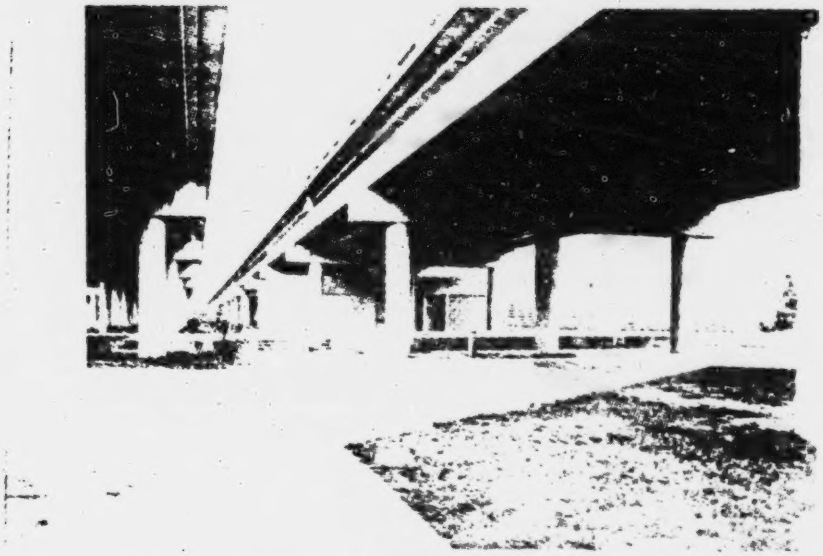
4. Public Uses - Auto Pound

The New Orleans Policy Department uses two blocks under the highway, between Iberville and Conti Streets as an auto pound. They have paved sufficient space for their towed cars, to be stored, built a six foot chain link fence around the lots, and located a small temporary building on one site. They have made no improvements to the area directly outside their fence, nor have they contributed to an improvement in image for the area.

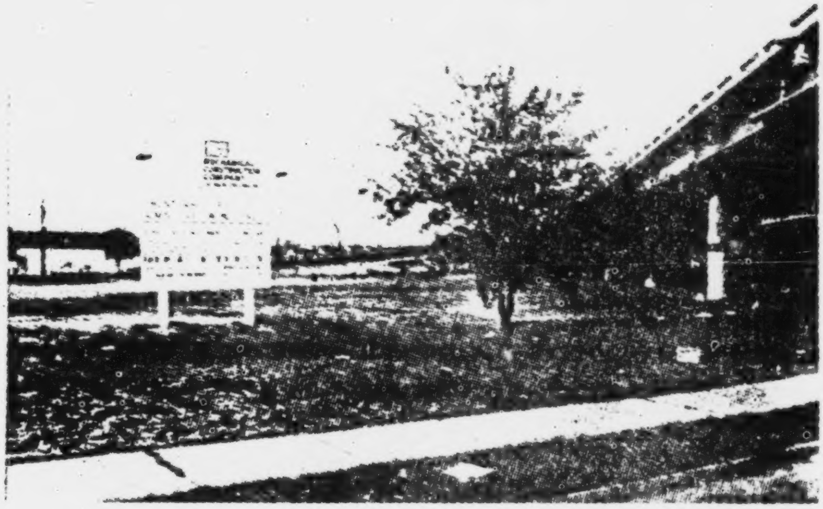
The two lots serve the Police Department well; they are convenient, easily accessible to central downtown New Orleans, and were obtained free of charge, costing only the required improvements. Adjacent communities, however, see the lots as an intrusion into their residential and small business character.

5. Future Corridor Development/Opportunities

The future development of the Claiborne Avenue corridor depends upon three major factors - the local development market, the ability to assemble ROW parcels with other available, adjacent, vacant property, and the structuring of an agency or body to implement the development. In order to proceed, the planning process must be continued. It must produce revised development plans which are sensitive to and compatible with the current development market. The process must include the realistic identification and creation of a development entity; and this entity must become a client of the planning process.



ST. BERNARD PARK and AMPHITHEATRE



HUNTERS FIELD

JOINT DEVELOPMENT TECHNIQUE

Associated with highways, joint development has not been widely implemented in the New Orleans area. The City Planning Commission of New Orleans effectively manages city urban development thru various public-private interaction mechanisms, including: Special District Zoning (for the Historic Vieux Carre); a Downtown Development District; and development negotiation with land transfers (International Trade Mart, Superdome, etc.). Each of these mechanisms, and the current Claiborne Avenue work involve the City taking an active role in the packaging of and negotiation for local development proposals.

In conjunction with highways, however, the following techniques have been used:

Intergovernmental Cooperation

Louisiana DOTD allows the City of New Orleans to use surplus highway ROW property for its own purposes, on a temporary basis, at no cost. The City Police Department uses several blocks under the Interstate as an auto pound; and the Department of Streets is constructing on grade parking facilities for community use. Agreements for this use of property are informal and not recorded.

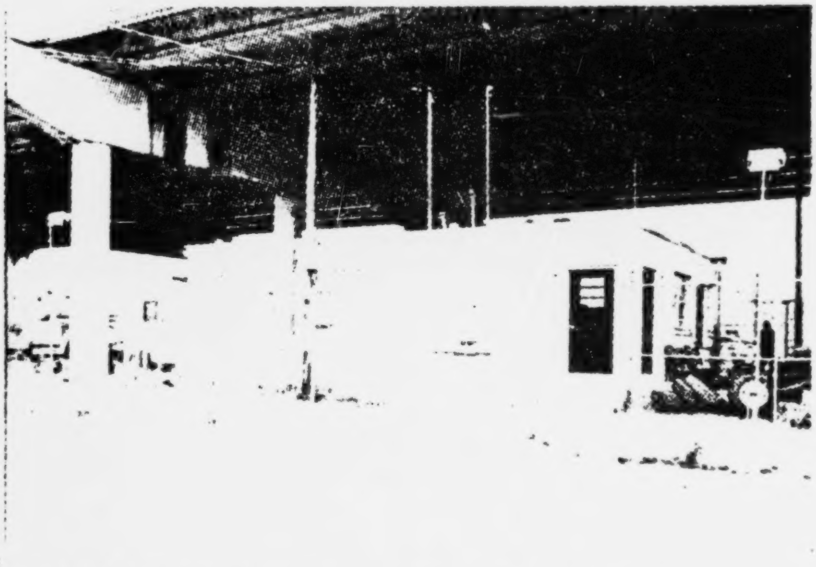
More formal arrangements, such as those seen in Baton Rouge, are seen where DOTD expends its own capital funds, for instance in Hunters Field. In these cases, DOTD funds and manages design and construction on behalf of the City, although local architects are used. Improved facilities are made available to the City at no capital cost. Ongoing maintenance and management of the property becomes a city responsibility.

Planning Participation

Louisiana DOTD, with Federal aid, supported and managed the original multiple use study. Planning funds were made available to the consultant team, who, with the encouragement of both City and State, produced an ambitious development plan. Planning support enabled many community development efforts to begin, with the outcome that community needs and goals were identified. Market and funding conditions were not a major planning topic, and have not allowed these goals to be attained. Planning was also directed towards long term achievements, not immediate implementation or temporary measures.

MECHANIC
OPEN

PHOTO LOOKING TOWARDS ST. BERNARD ST.



POLICE LOOKING TOWARDS ST. BERNARD ST.

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CHRONOLOGY

1955	State legislation allows Claiborne Avenue with its park-median to become part of state highway system.
1968	Construction of Interstate 10 over Claiborne Avenue.
1969	Passage of National Environmental Protection Act.
1970	Tamborine and Fan, Inc., proposes to City of New Orleans Planning Commission to conduct a feasibility study for the redevelopment of the Claiborne Avenue corridor.
1971	Final no-go decision on T&F study by Mayor's Office.
1972	City of New Orleans application to B.O.R. to improve Right-of-Way area. Appointment of Perkins & James, Gendusa, as architects.
	City Planning Department decides that planning and funding responsibility should lie with the Louisiana DOTD, sends T&F and proposal to State.
1972	Louisiana DOTD brings in Modjeski and Masters, consulting Engineering firm, to package proposal, based upon the firm's established reputation in highway planning and design, and their successful completion of Scotlandville Joint Use Study.
1973	DOTD grant to Modjeski & Masters to prepare Multi-Use Proposal in conjunction with Lombard, Perkins & James, Gendusa, others.
1973	DOTD Contracts with "Claiborne Avenue Design Team."
1974	Revision of State Constitution. Independent highway authority becomes Office of Highways in Louisiana Department of Transportation and Development (DOTD).
1976	Claiborne Avenue Multi-Use study completed.

CHRONOLOGY (Cont'd)

1977	Completion of Phase I recreational improvements at St. Bernard Street.
1978	Contract Drawings for Phase II recreational improvements at St. Bernard Street completed Perkins and James, architects.
1979	Construction begins on paving and painting underneath I-10 between Lafitte Avenue and Esplanade Avenue, funded by City of New Orleans with HUD Community Development Block Grant funds; approximately $900,000.
1980	Anticipated construction start for Phase II recreational improvements at St. Bernard Avenue.
1980	Formation of local CDC/MESBIC with $160,000 planning and $500,000 operating funds for local business development in Claiborne Avenue Corridor.

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VIEW THROUGH THE HIGHWAY

SURFACE UNDER RAMP USED BY LOCAL BUSINESS FOR PARKING

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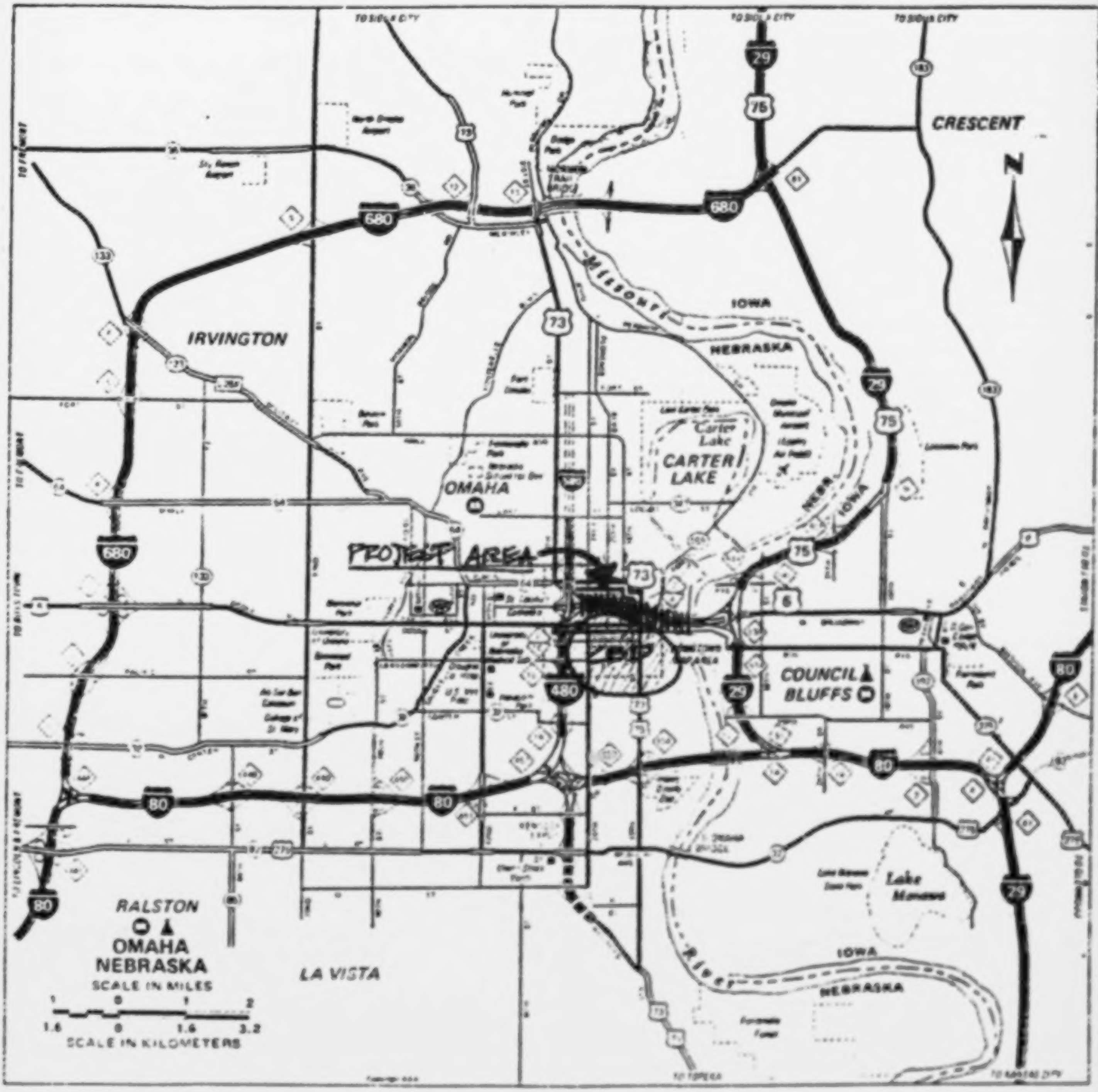
MAJOR ACHIEVEMENTS

Achievements in the Claiborne Avenue project beyond the commencement of a planning process and the production of an elegant report are mostly organizational and process related. To date, the planning process has generated interest and concern by local government officials in the redevelopment of the area. Indirectly, it has caused the expenditure of $4 million dollars in area improvements, however, because of their dispersion, both over four years and along the mile length of I-10, they have not created dramatic differences in the freeway environment along Claiborne Avenue. While City-State liaison (Point 2) was effective in the study, there was an unclear client relationship and little understanding of project packaging. The implementation of Point 4 could have increased implementation opportunities.

Looking towards the future, a local CDC has been formed in the neighborhood, with the intent of supporting local business development. With this activity ongoing, and a planning study in place, there is likely to be the continued, slow implementation of corridor improvements as the area's economic base develops. Federal-aid to a Claiborne Avenue joint development proposal tied to private investment could substantially help the strengthening of local community economic development situation, creating still greater community benefits. Actions on Points 1, 4, 6, 7, 8, and 9 will immensely improve chances for effective project implementation. FHWA should carefully monitor this project (Point 10).

LOUIS ARMSTRONG PARK:
LOOKING TOWARDS I-10


TO SIOUX CITY
CRESCENT
N
IRVINGTON
IOWA
NEBRASKA
Missouri
Carter Lake
CARTER LAKE
OMAHA
PROJECT AREA
COUNCIL BLUFFS
RALSTON
OMAHA
NEBRASKA
SCALE IN MILES
SCALE IN KILOMETERS
LA VISTA
Lake Manawa
River
TO TOPEKA
TO KANSAS CITY
680
29
75
73
480
80
6

I-480 DOWNTOWN OMAHA : AREA MAP

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7.3 I-480 Downtown Omaha,Nebraska

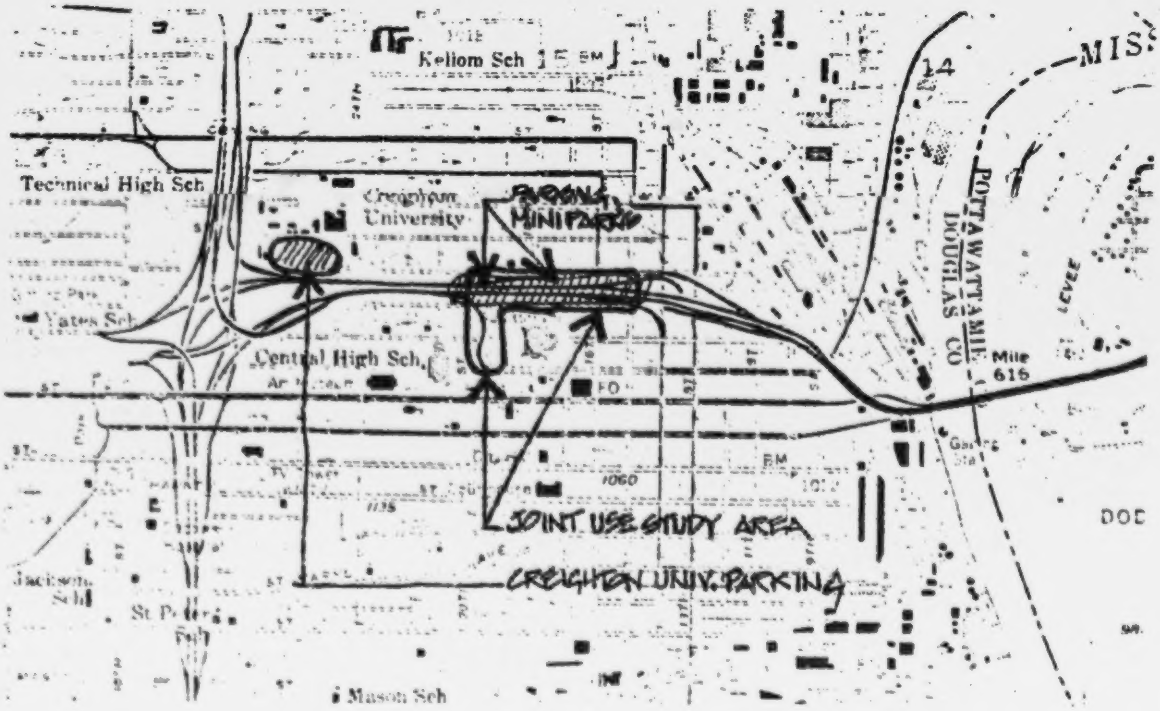
PROJECT OVERVIEW

The Interstate highway loop, I-480, after crossing the Missouri River from Council Bluffs, Iowa, passes by downtown Omaha, several blocks from the CBD core. In the mid 1960's during its planning and construction, several planning and development studies suggested that the highway should not be constructed on an embankment but on an elevated structure, and that ramp configurations should be changed to accommodate the growing CBD development. These design changes were made to construction plans. Simultaneously, the City of Omaha and Nebraska Department of Roads (DOR) jointly sponsored a land use study for the property to be made available by the elevated structure.

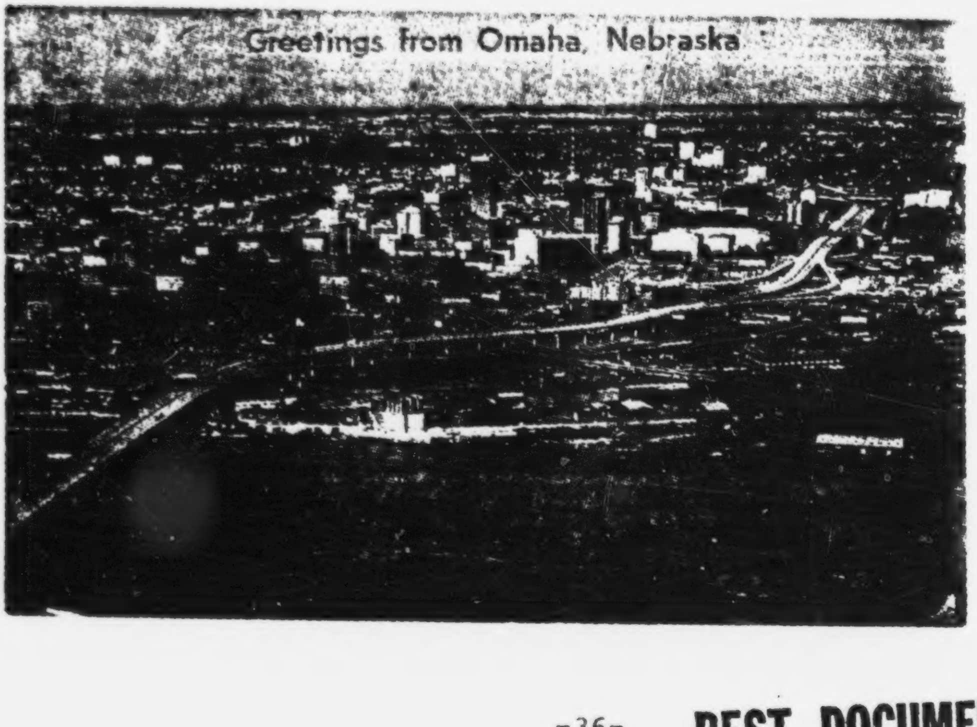
The intent of the study was to identify public and/or private development potential of property acquired but not needed for the highway. These properties included surface area under the highway, air rights above the highway, and the remnant parcels at the sides of each full block acquired for construction. The study proposed several commercial enterprises at various locations, however no development was to ensue. There are several reasons:

1. The declining development in the early 1970's.
2. The growth of the downtown area away from I-480.
3. The lack of an implementing entity with experience in negotiating and entering into public-private partnerships.
4. And the planning exercise was carried out several years before completion of the highway. Private parties initially interested in use of available property declined to wait until highway completion and had no assurances that they would be able to obtain rights to adequate property.

Following these events, the DOR and City agreed upon a temporary solution for six of the blocks under the highway. They would be paved as parking areas with mini parks and planting areas surrounding them, as specifically allowed in the Federal-aid Highway Program Manual. The lots would then be transferred to the City for their maintenance and management.


Kellom Sch
MIS
14
Technical High Sch
Creighton University
PASSIVE MINI PARK
Yates Sch
Central High Sch
POTTAWATTAMIE
DOUGLAS CO
LEVEE
Mile 616
JOINT USE STUDY AREA
CREIGHTON UNIV. PARKING
DOD
Jackson Sch
St. Peter's
Mason Sch

MAJOR PROJECT ELEMENTS


Greetings from Omaha, Nebraska

MAJOR PROJECT ELEMENTS

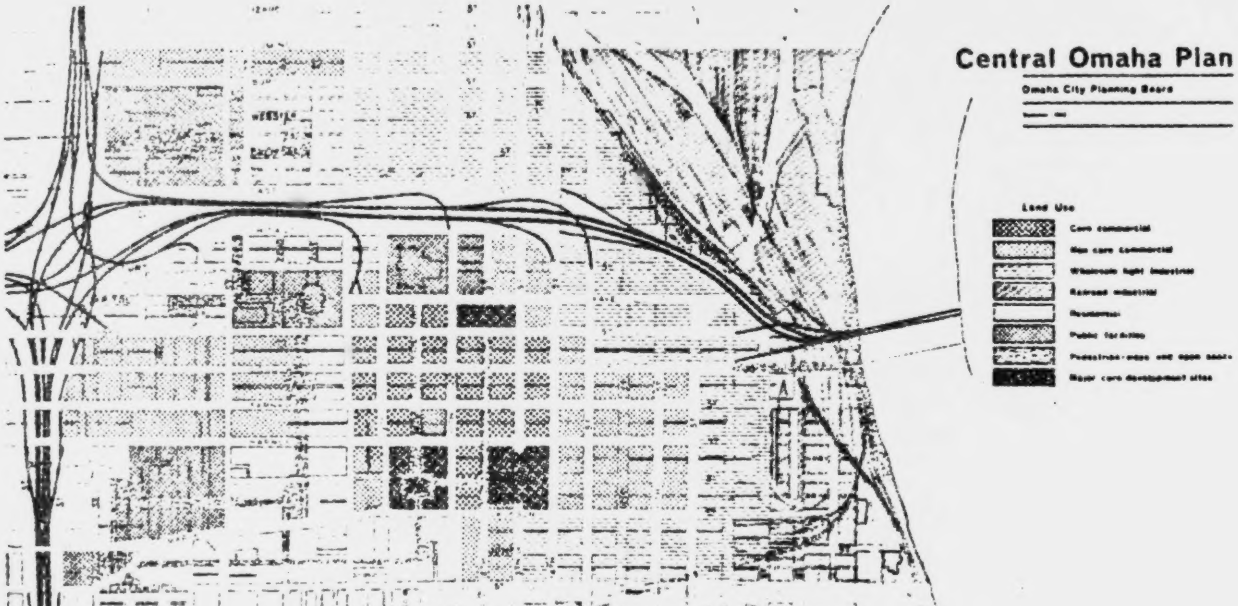
There are four major project elements in downtown Omaha, the highway itself, the Joint Use study, the mini parks and parking under the highway, and a surface property lease to Creighton *University*.

Element	Technique	Property	Participants
1. I-480 Highway Structure	Intergovernmental Cooperation	ROW	DOR/FHWA City Planning
2. Joint Use Study	Planning support	All surplus ROW -- adjacent, under, and over highway.	DOR/FHWA City Planning Consultants
3. Parking, Mini parks	Intergovernmental Cooperation; Use Agreements	Grade property under highway	DOR/FHWA City
4. Creighton University Parking	Property Lease	Adjacent surplus including city streets	DOR, City Creighton University

1. I-480 Highway Structure

Nebraska is primarily a rural state with only two major cities, of which Omaha is the largest. By and large, highway construction is a relatively straightforward procedure, with the State Department of Roads acquiring 300 to 350 feet of right-of-way and building highways on grade. To the extent possible, exceptions are made for Omaha, given its

I-480 UNDER CONSTRUCTION : C. 1975


Central Omaha Plan
Omaha City Planning Board
Land Use
Core commercial
Non core commercial
Wholesale light industrial
Railroad industrial
Residential
Public facilities
Pedestrian-ways and open space
Major core development sites

CENTRAL OMAHA PLAN : 1966

special character as an urban area and a major regional trans-shipment center. When I-80, the major East-West highway, was constructed, it was located 1.5 miles south of downtown Omaha, so as to bypass the urbanized area. I-480, on the other hand, is the northern segment of a loop around the downtown area and passes only several blocks away from the CBD, providing better access to and from the CBD.

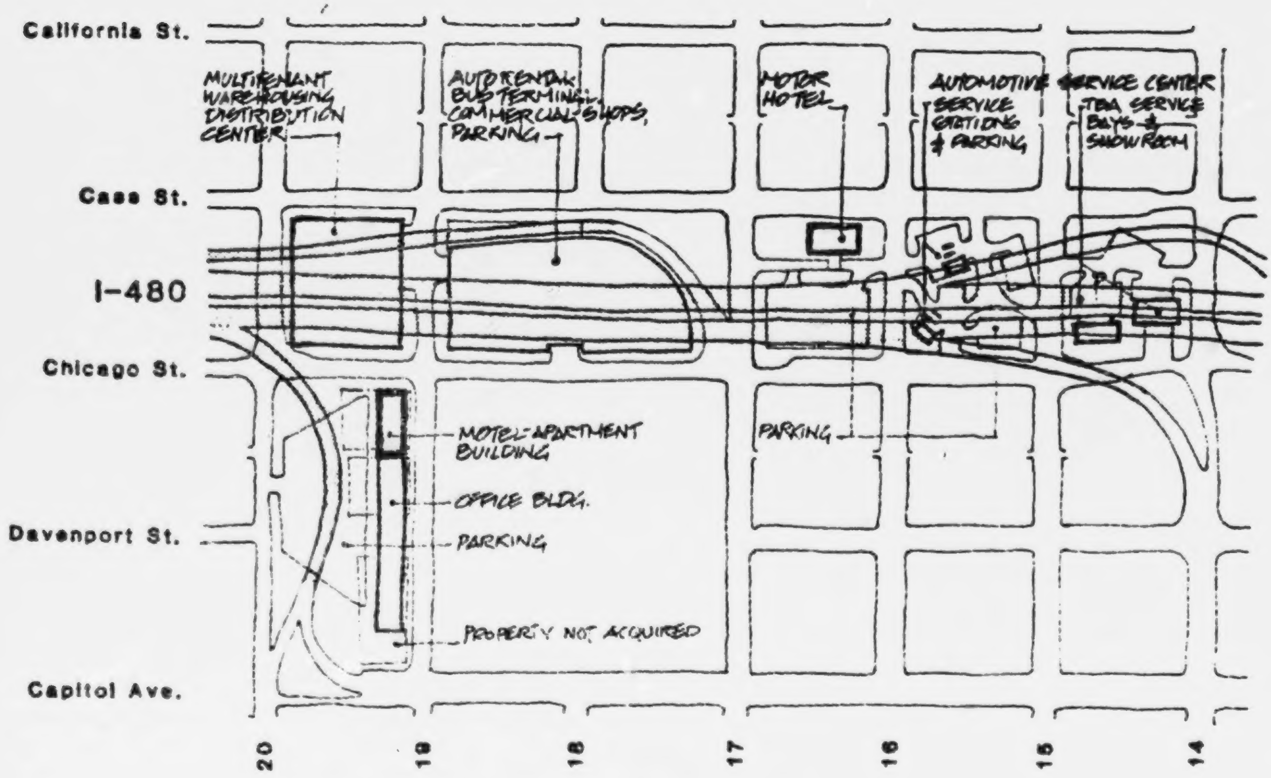
Initially, its construction plans were much like other interstates planned and built in the State. Full city blocks (324 feet square) were acquired, although the highway covers only half to two thirds of each block. Until the bridge over the rail yards, and eventually the Missouri River, the highway was designed on grade. At the same time, in the mid 1960's, however, Omaha was continuing to grow -- in population and in commercial activity. The City Planning Department, working closely with the Mayor's Office, was preparing a major downtown plan -- the first of its kind in the city. The direction of city growth was still to the south, away from the highway. City Planners, however, forsaw a major interstate on an embankment, taking up a full city block, as a major development barrier, a Chinese wall, to development. With the help of the Mayor's Office, the State Department of Roads and the U.S. Bureau of Public Roads were approached about the possibility of elevating the highway in a six block area immediately adjacent to the office and retail care.

Following a negotiation period, the State and Federal governments agreed to elevate the highway, east of 20th Street (see map), and to change several ramp locations (13 and 14th Streets) to accommodate the newly prepared Downtown Plan, and create opportunities for development under and over the highway. The highway was designed using a continuous span steel box section, with each direction separately supported, and at different levels. The result is a well designed structure, which allows much light to pass through, and transmits very little road noise to the space below.

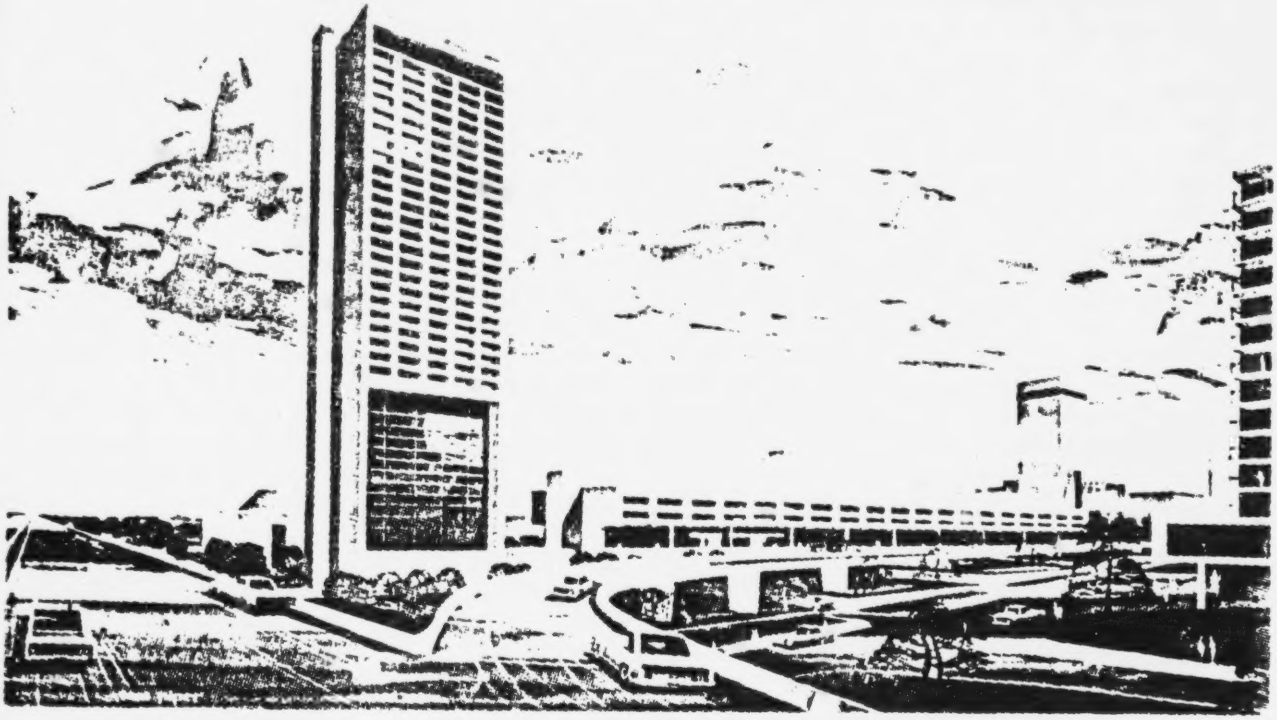
These alterations have made the surplus adjacent and underneath areas relatively attractive as development sites, at least by comparison with sites near elevated highways constructed with precast concrete girders. These design changes, with their associated additional costs, were included in the highway package on the understanding that they could foster the potential development of the adjacent and underneath areas.

2. 1969-71 Joint Use Study

The Omaha Joint Use Study was a several year planning process spearheaded by the City Planning Department following the


California St.
Cass St.
I-480
Chicago St.
Davenport St.
Capitol Ave.
MULTITENANT WAREHOUSING DISTRIBUTION CENTER
AUTO RENTAL, BUS TERMINAL, COMMERCIAL SHOPS, PARKING
MOTOR HOTEL
AUTOMOTIVE SERVICE CENTER
SERVICE STATIONS & PARKING
TBA SERVICE BAYS & SHOWROOM
MOTEL-APARTMENT BUILDING
OFFICE BLDG.
PARKING
PROPERTY NOT ACQUIRED
PARKING
20
19
18
17
16
15
14

JOINT-USE STUDY PROPOSALS : 1971



1971 JOINT-USE STUDY MOTEL-APARTMENT BLDG. PROPOSAL.

agreement to elevate the six block section of highway. The intention of the study was to make available for development, and have developed, the six blocks under and adjacent to I-480. The study began in the early 1960's as the City of Omaha worked to change highway plans -- to build an elevated section instead of an embankment. With this achieved, the next step was to determine appropriate land uses, economic feasibility, and general design considerations of possible development under and along the highway. This work was begun and coordinated by the Omaha City Planning Department.

With the cooperation of the U.S.Bureau of Public Roads (predecessor of FHWA) and the Nebraska Department of Roads (DOR), the Omaha City Planning Department assembled a study team to develop more detailed recommendations. The team consisted of real estate analysts, architects, local business interests, city and State officials, as well as elected city officers. The next step identified major real estate factors and included a market analysis of development potential, and preliminary cost and income realization estimates.

At that time, Omaha was growing and the business climate was optimistic. All downtown shop fronts were full, there were identified needs for office, hotel, apartment and commercial space as well as parking. These studies identified the following seven activities, which would be appropriate:

1. Apartments for families (0, 1, 2 bedrooms)
2. Commercial office space
3. Hotel/motel rooms
4. Warehouse/distribution space
5. Parking
6. Commercial-retail
7. Automotive service (gas stations, etc.)

Following this activity, five possible sites were identified along the highway right-of-way. These included three two-block parcels and two one-block parcels (see map). One of the two block parcels included a substantial area still in private ownership. With parcels identified and development programs for each of these prepared, teams of architects chosen by the Omaha AIA began work on schematic sketch designs for each of the sites.

All of the sketches suggested buildings situated under and/or adjacent to the highway itself. As the study was coming to a close, the City began to market available properties and the highway itself was nearing completion. During the search, two potential lessors were identified -- the Wells Fargo Company and a motel operator being represented by an independent real estate investor. In addition, Creighton University, with a growing regional health care facility, expressed interest in leasing surplus property and air rights for a parking facility to span over the highway.

None of these developer interests, however, were to come to fruition, due to a combination of factors. As the recession of the early 1970's became felt in Omaha, competition for developers by specific sites became more intense, often resulting in development being attracted to locations on the outer freeway loop -- closer to the new residential areas. These trends in combination with the ill-defined locus of public responsibility for packaging and negotiating a development project led the private concerns to opt for more easily acquired property, that is,privately owned land which was not subject to a multitude of public agencies and political jurisdiction. Furthermore, there was still uncertainty about when the surplus highway property could actually become available.

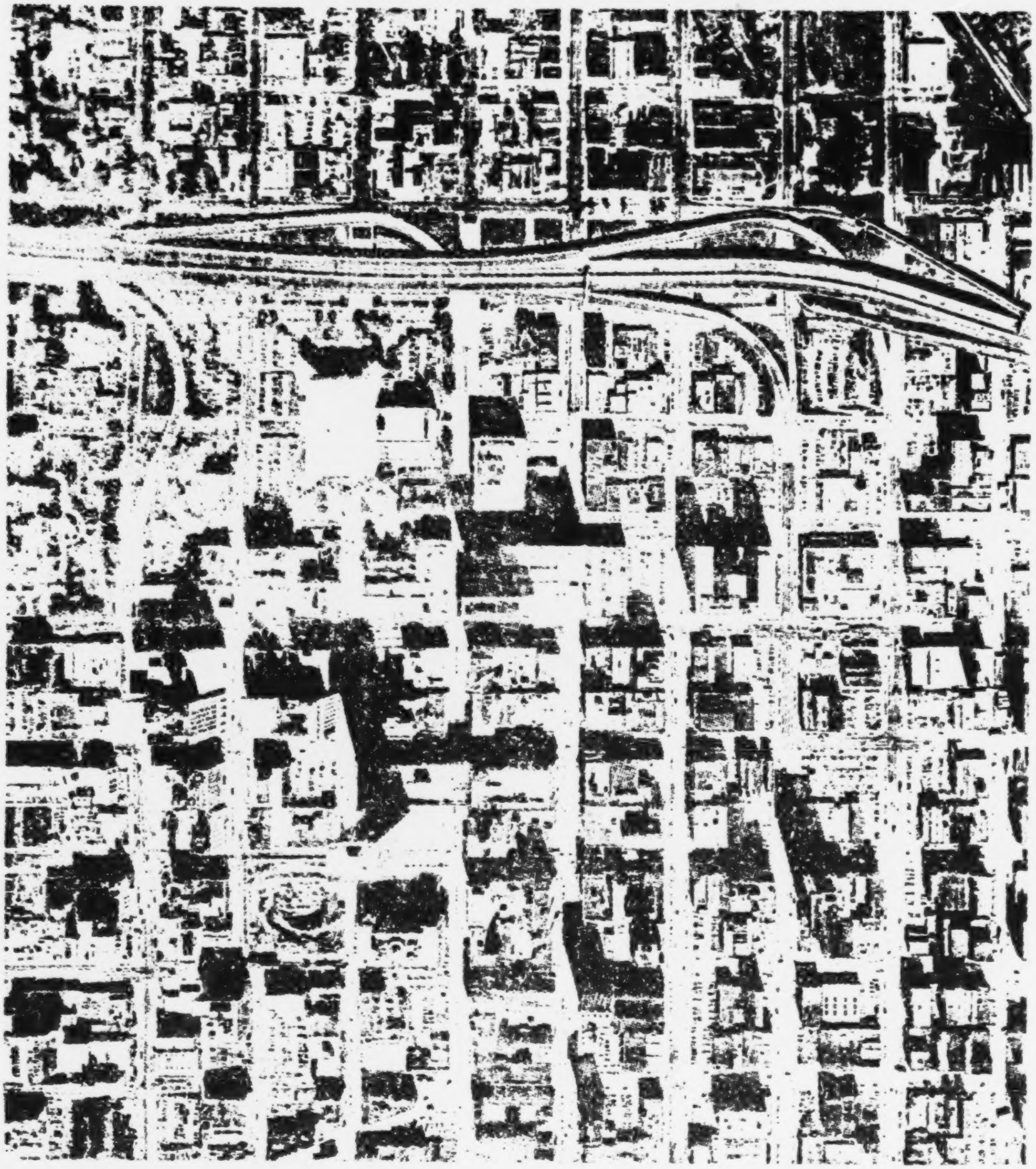
3. Parking and Mini Parks

After completion of the highway, when it was clear that no private development would occur on the surplus parcels, the Omaha City Planning Department and Department of Roads, came to an agreement to build several mini parks and grade parking areas on the parcels of land under the highway. These were funded out of the Interstate 480 budget (with 90 percent Federal-aid). When complete, they were transferred to the city, under a Use Agreement, to manage and maintain. The uses are considered by the city as temporary, to be continued until there is enough developer interest in the property to warrant change. Last year, the City of Omaha received $74,000 in parking receipts from the use of these areas.

4. Lease to Creighton University

Slightly north of the joint development study area, Creighton University has leased a portion of adjacent, surplus highway property and surplus city street property jointly from the city and State. The University pays annual fees of $2,000 to the city and $650 to the State for a total of 53,147 square feet, partially owned by the city and partially owned by the State. The terms of the lease are ten years, renewable twice for five year periods. The lease needed to be approved by the Omaha City Council, the Mayor's Office, the Finance Director, as well as the head of the State DOR.

The lease rate was established in 1977 as ten percent of the fair market value, as independently assessed at the time of lease. The State of Nebraska furthermore reserves the right to annually reassess the property. The initial assessment



AERIAL PHOTO OF STUDY AREA:
I-480 WITH PARKING
AND MINI PARKS AREA

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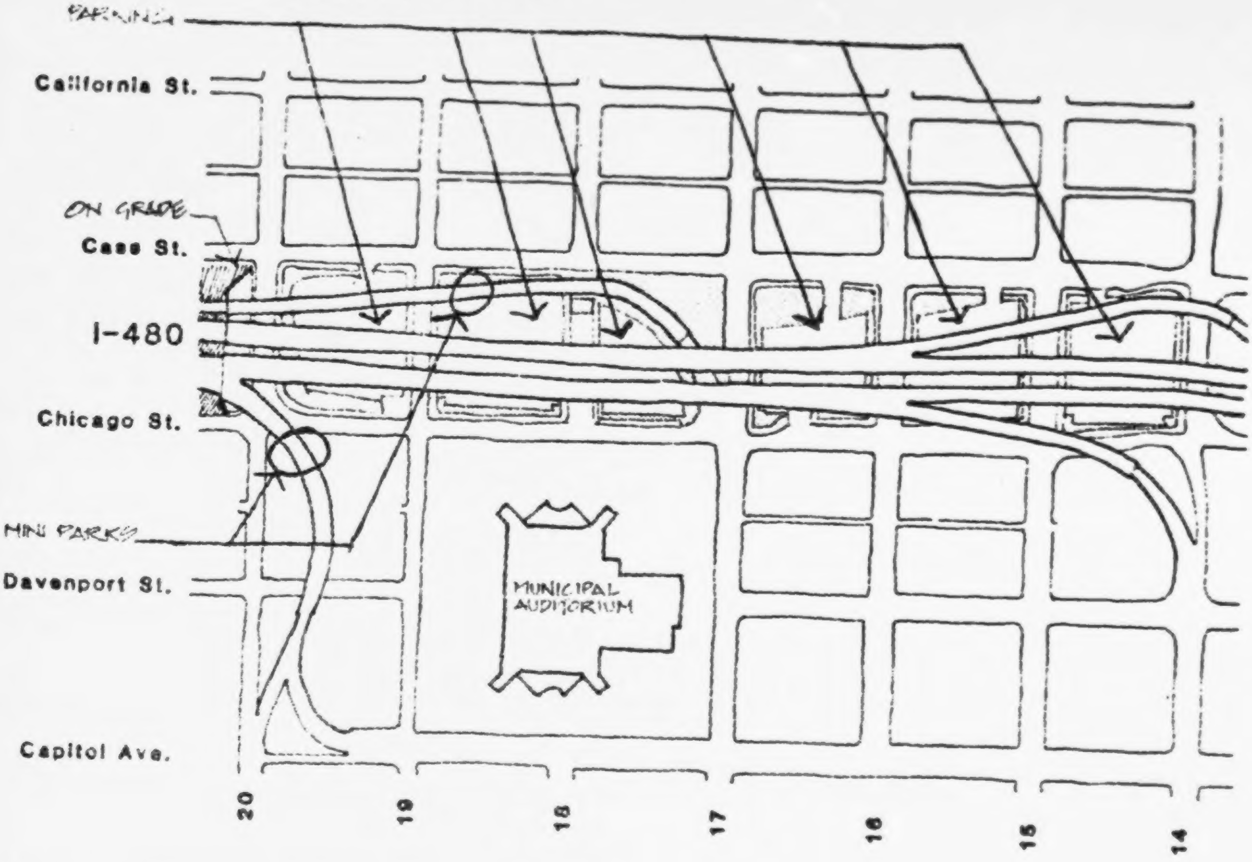
PARKING
California St.
ON GRADE
Cass St.
I-480
Chicago St.
MINI PARKS
Davenport St.
MUNICIPAL AUDITORIUM
Capitol Ave.
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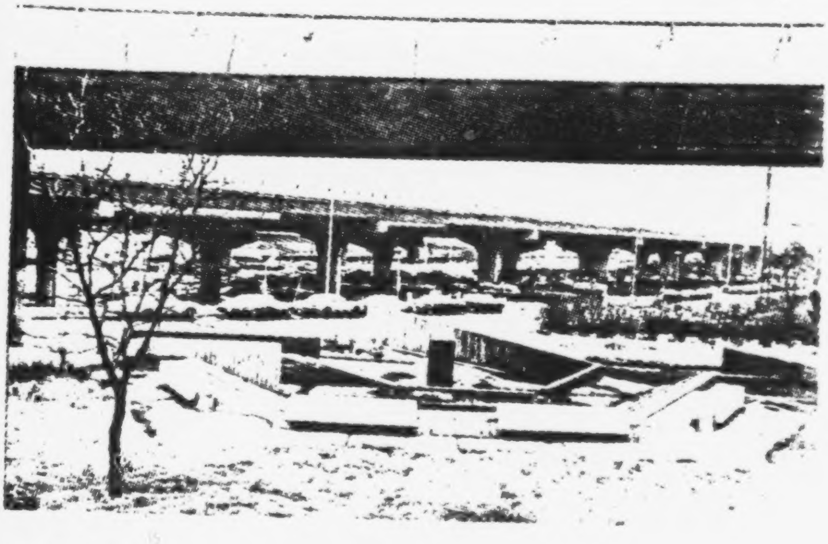
I-480 : EXISTING JOINT-USE



MINI PARKS UNDER I-480 RAMP

assumed that because of the surplus nature of the property (its irregular shape and lack of access except to the University), its actual value was one half of that of comparable, nearby property.

JOINT DEVELOPMENT TECHNIQUES

There are several joint development techniques which are acceptable for use in Omaha. The Department of Roads does not appear to be legally constrained in its ability to repackage land (acquired from several owners) or to sell, lease, or otherwise dispose of surplus property.

The City of Omaha has, in its own structure, several routes available to pursue joint development, specifically public-private development. The city recently established a parking authority with land acquisition, capital formation, and development power. Additionally, Omaha retains an "Advance Acquisition Fund" for land, with which the city purchases, in advance of need, property for public developments. This fund, and its associated powers, is used for land banking and could probably be used for land acquisition for a public-private development venture. While there do not seem to be legal restrictions on joint development techniques, there is a political reluctance in Nebraska and Omaha to involve public and private sectors in a single venture. Public sales and straightforward property leases are preferred.

Intergovernmental Cooperation: Active Development

The mini parks and parking areas were constructed and financed by Nebraska DOR with ninety percent Federal-aid funds. A renewable term use agreement was written by the State which transferred control over the property to the city.

Omaha now manages the areas and retains all income from the parking, for which users are charged 75 cents per day. The gross receipts for 1979 were $74,000.

Important in Nebraska is the degree of cooperation which occurs between the city and the State. This cooperation exists in three forms:

1. A willingness by the State to modify designs in the urban area to accommodate unique development objectives, at additional costs to the State and Federal government.

2. The city-state exchange whereby Nebraska DOR expends capital funds under the highway, on behalf of the city, but relegated its management and maintenance responsibility to the city. In compensation, the city is responsible for the fee income from the property.

3. The support given by the State DOR to the City of Omaha for carrying out planning studies for local development within the highway corridor.

Public-Private Partnership: The Lease

Both the Nebraska Department of Roads and City of Omaha have the ability to enter into negotiations and write leases to private interests for use of public property. The lease terms can be set at the discretion of the public sector and subsequent agreement of the private interest. While the State DOR may itself write leases due to its fiscal independence, City leases must be approved by Mayor and City Council.

CITY MANAGED PARKING

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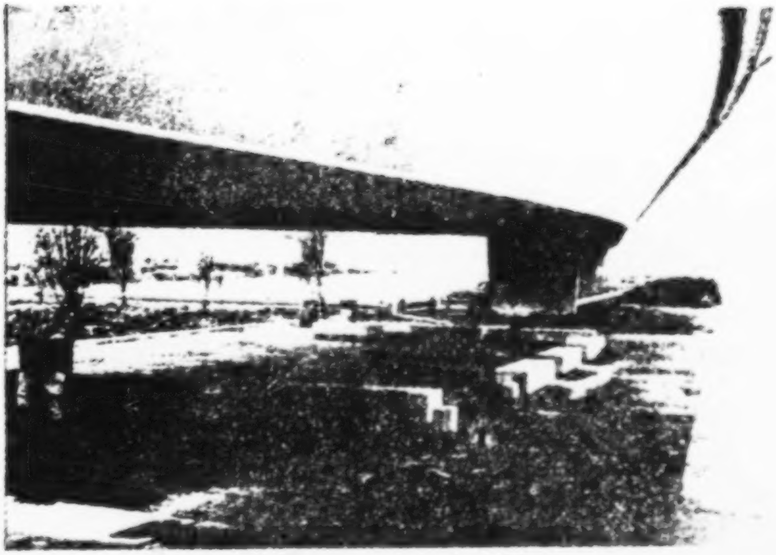
NEBRASKA DOR LANDSCAPING

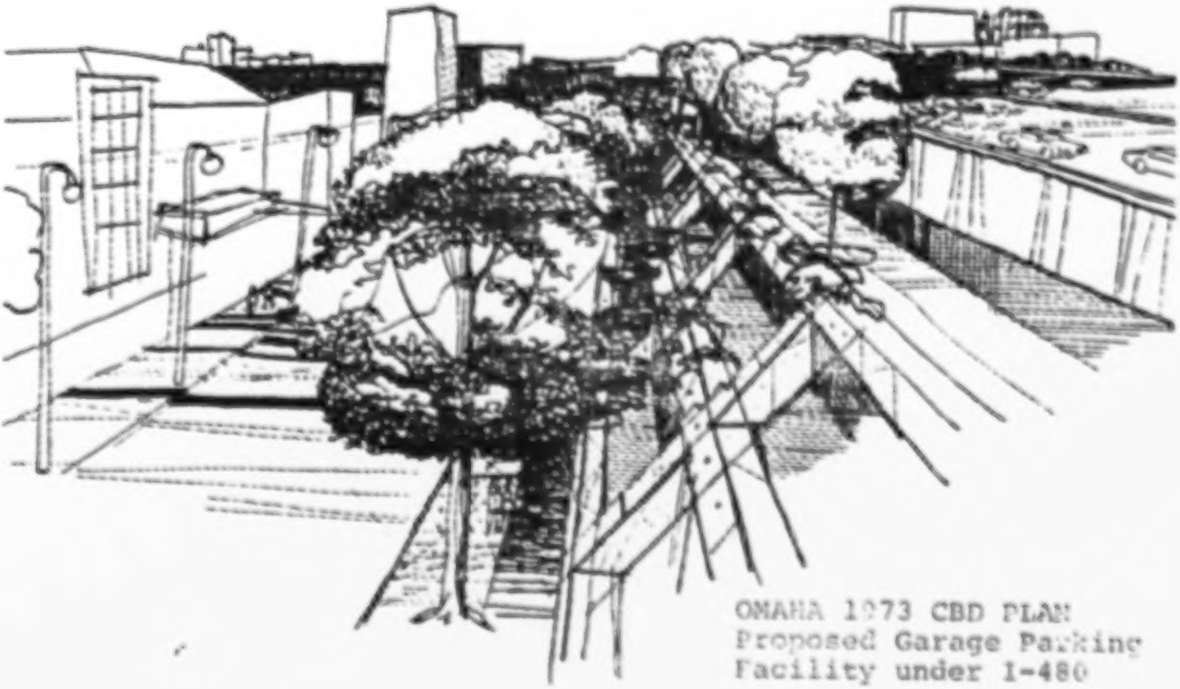


MINI PARK UNDER I-480 RAMP

CHRONOLOGY

1957	"Omaha Plan" prepared by Mayor's Planning and Development Committee. Includes schematic consideration of I-480, at current location.
1963-64	Highway plans show I-480 at current location, on embankment.
1966	"Omaha Central Plan" prepared by Leo A. Daly for Omaha City Planning Board and Mayor's Central Omaha Study Committee. Plan includes I-480 (not yet constructed) at current location, downtown development direction (away from I-480)
1966-68 (est.)	Design changes to ramps, structure, and alignment proposed, resulting from downtown planning exercises. Joint use sketches prepared by City Planning Department.
1968	Agreement between consultants and Nebraska Department of Roads to study, in detail, I-480 Right-of-Way location, design concepts.
	City Council resolution to cooperate with State in preparation of Joint Use study.
1969 (February)	Council Resolution to proceed; authorizes City Planning Department to proceed with and participate in Joint Use Study.
1969	Eighth Session of the Nebraska Legislative Pass to bills to permit long term leases of portions of City and State owned highway ROW. (LB 1396, LB 1178)
1969 (May)	Omaha chapter, AIA, prepares design concepts as part of Joint Use Study.
1969	Contract for highway structure let by Nebraska Department of Roads.
1970 (October)	Westbound lanes of I-480 opened to public traffic; Eastbound lanes followed shortly; parking and mini parks constructed thereafter.
1971 (December)	Omaha Joint Use Study printed. I-480 under construction
1973 (October)	Development of Omaha Central Business District Plan and Riverfront Plan. Proposed downtown mall included people movers and garage parking under I-480. Land acquisition begins.

1977	City Council Resolution and Lease to Creighton University for certain property for use as grade parking facility.
1979	City of Omaha receives approximately $74,000 annual income from parking fees from six lots under I-480.
	Demolition and clearance begins for downtown mall.



OMAHA 1973 CBD PLAN
Proposed Garage Parking Facility under I-480

MAJOR ACCOMPLISHMENTS

There are two significant joint development accomplishments evident in the Omaha I-480 situation. The first is the major alteration of highway plans in response to locally originated land use consideration (Points 1, 2, Ten Point Program). The change in highway design -- from an embankment to an elevated section -- was made specifically to allow development of the property. It was accomplished in advance of the Joint Use Report, which was prepared while the highway was under construction, with a clear and specific definition of the development parcels available.

The second accomplishment is the decision, taken jointly by the City and State, to carry out temporary parking improvements to the available property, when it became clear that it was not going to become commercially developed.

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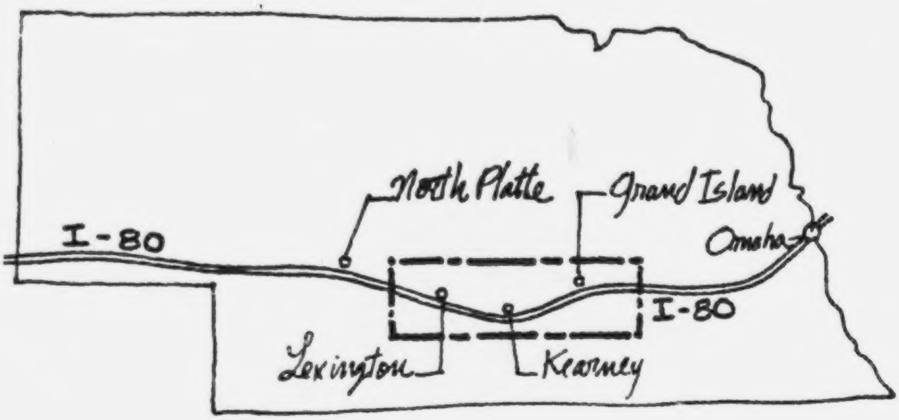
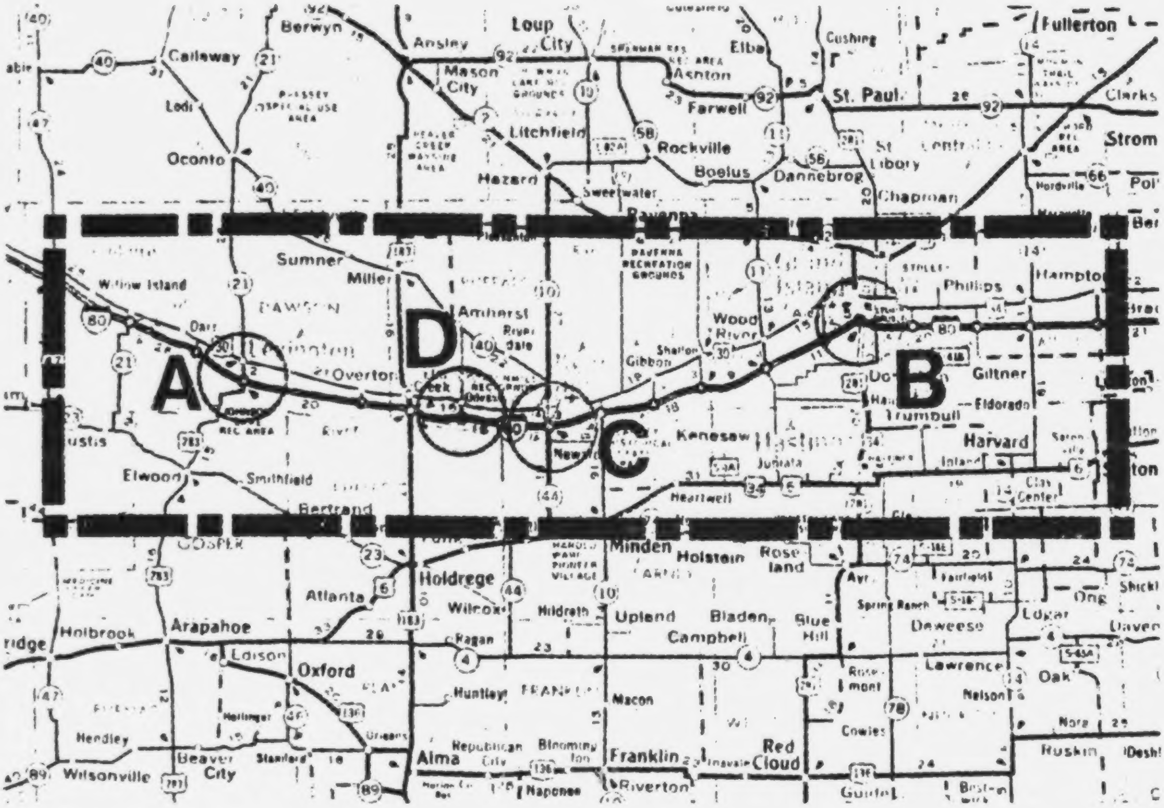


I-80
North Platte
Grand Island
Omaha
I-80
Lexington
Kearney

STATE OF NEBRASKA : LOCATION OF CHAIN OF LAKES AREA



A
B
C
D
Lexington
Overton
Kearney
Gibbon
Wood River
Grand Island
Phillips
Giltner
Hastings
Kenesaw
Minden
Holdrege
Elwood
Loup City
St. Paul
Ravenna
Amherst
Riverdale
Odessa
Elm Creek
Harvard

CHAIN OF LAKES : LOCATION MAP
("A,B,C,D" refer to photos in the case report)

7.4 Chain of Lakes, I-80 — Western Nebraska

PROJECT OVERVIEW

For 150 miles, where the Platte River follows Interstate 80, there is a series of recreational lakes immediately adjacent to the highway, now stocked with fish by the Nebraska Game and Parks Commission and landscaped around the edges. Other recreational uses include fishing, picnicing, camping, and swimming. Private development is occurring adjacent to many of the lakes, especially those at highway interchanges. Typical development includes motels, restaurants, and gas stations. In several cases private houses have been built and in one case a summer camp.

In the majority of these cases, there has been no coordinated planning between the lake/recreation areas and the ensuing private development. The lakes were acquired and excavated by the highway contractors for use as gravel sources, turned over to the Department of Roads upon completion who, in turn, transferred them to the Game and Parks Commission for their recreational development. While the lakes have been a substantial improvement to the roadway environment, there are substantial development control opportunities to increase community benefits which have not been fully taken advantage of.

PROJECT ELEMENTS

There are three types of project elements which are seen along I-80 nearby the lakes. These involve both public and private development aspects.

Elements	Technique	Property	Participants
1. I-80 Highway	Construction	ROW	DOR/FHWA
2. Lakes, Recreation Areas	Intergovernmental Cooperation	Adjacent to ROW	DOR, Game & Parks Commission
3. Private Development	---	Adjacent to Highway, Lakes	Private Sector

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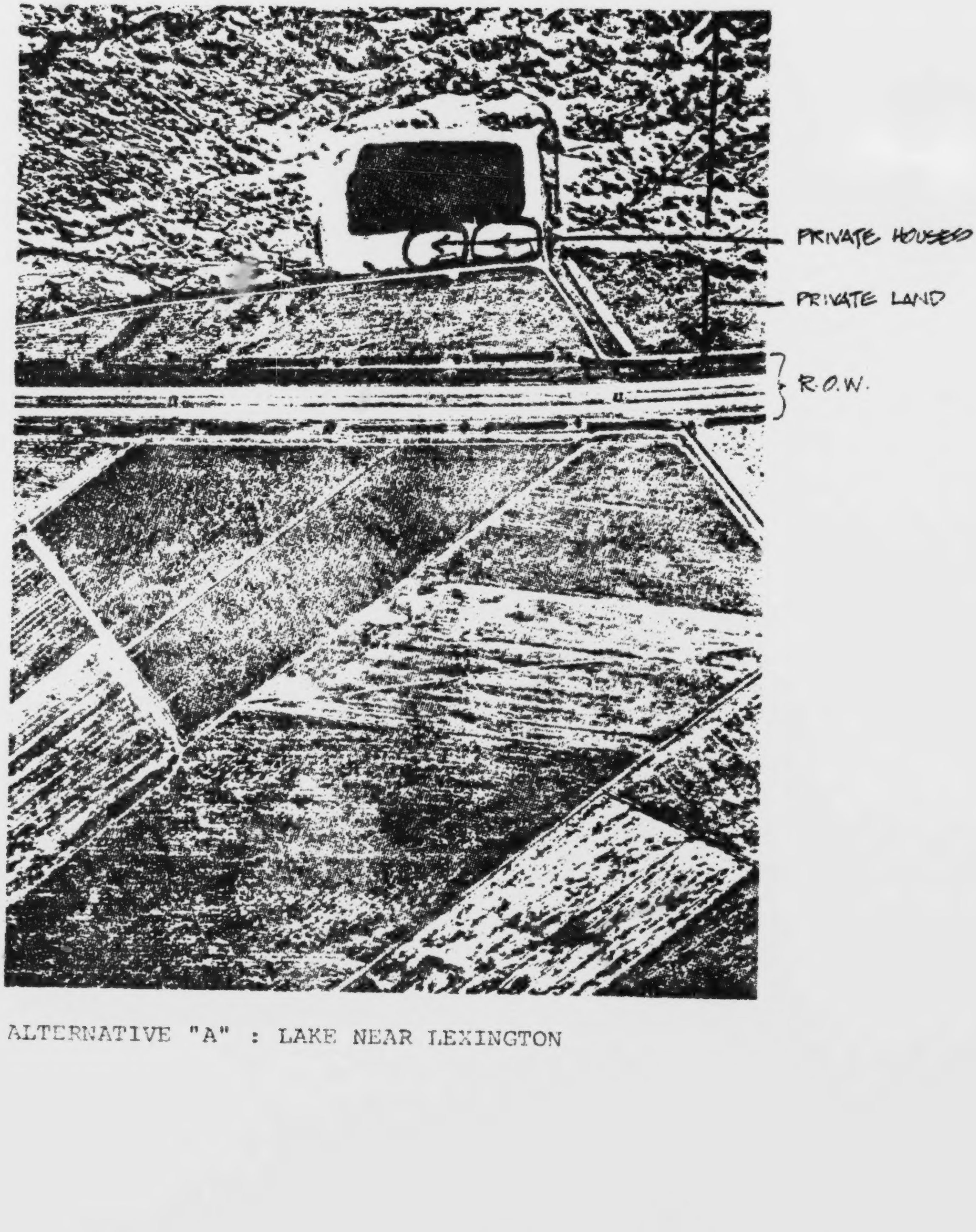
PRIVATE HOUSES
PRIVATE LAND
R.O.W.

ALTERNATIVE "A" : LAKE NEAR LEXINGTON

1. Highway I-80

The construction of I-80 required substantial quantities of gravel for use in elevating the roadbed above the Platte River flood plain. The geology of the Platte River valley is such that this material was available in the top fifteen to twenty feet of ground, down to a clay bed. The contractor in the project was responsible for locating adequate and appropriate sites and excavating required gravel. In other experiences, Nebraska has often purchased only the mineral rights to such property, with its ownership remaining in private hands. In this case, however, the DOR chose to fully acquire the excess properties (for required construction use), and have the gravel pits -- which were sure to fill up with Platte River water -- landscaped and developed as roadside attractions. The creation of additional environmental amenities was a major intent of the project.

2. Lakes and Recreation Areas

Upon completion of the highway, the lake properties were transferred, at no cost, to the Game and Parks Commission, who landscaped the edges and placed picnic, and occasionally camping, areas along their shores. The lakes were then stocked with fish. They are now used by travelers and Nebraska residents. In several isolated cases, lakes were held in private ownership and in one instance the lake was transferred to a private, charitable foundation for use as part of a summer camp.

3. Private Development

Developed near many of the lakes have been camping areas, restaurants, motels, gas stations and other small commercial enterprises which depend upon the interstate traffic of I-80 for their market. These small developments cluster naturally around the I-80 interchanges by the laws of access, location theory and economics. Except for the camping areas, the existence of the lakes neither caused the developments to occur, nor determined their locations.

Nebraska is a State with a clear distinction between public purpose and private response. As such, these spot developments were not considered in either the highway or lake planning. In fact, there was serious doubt in the Department of Roads as to whether the construction of lake beds was outside their legitimate scope, as a public, transportation agency.

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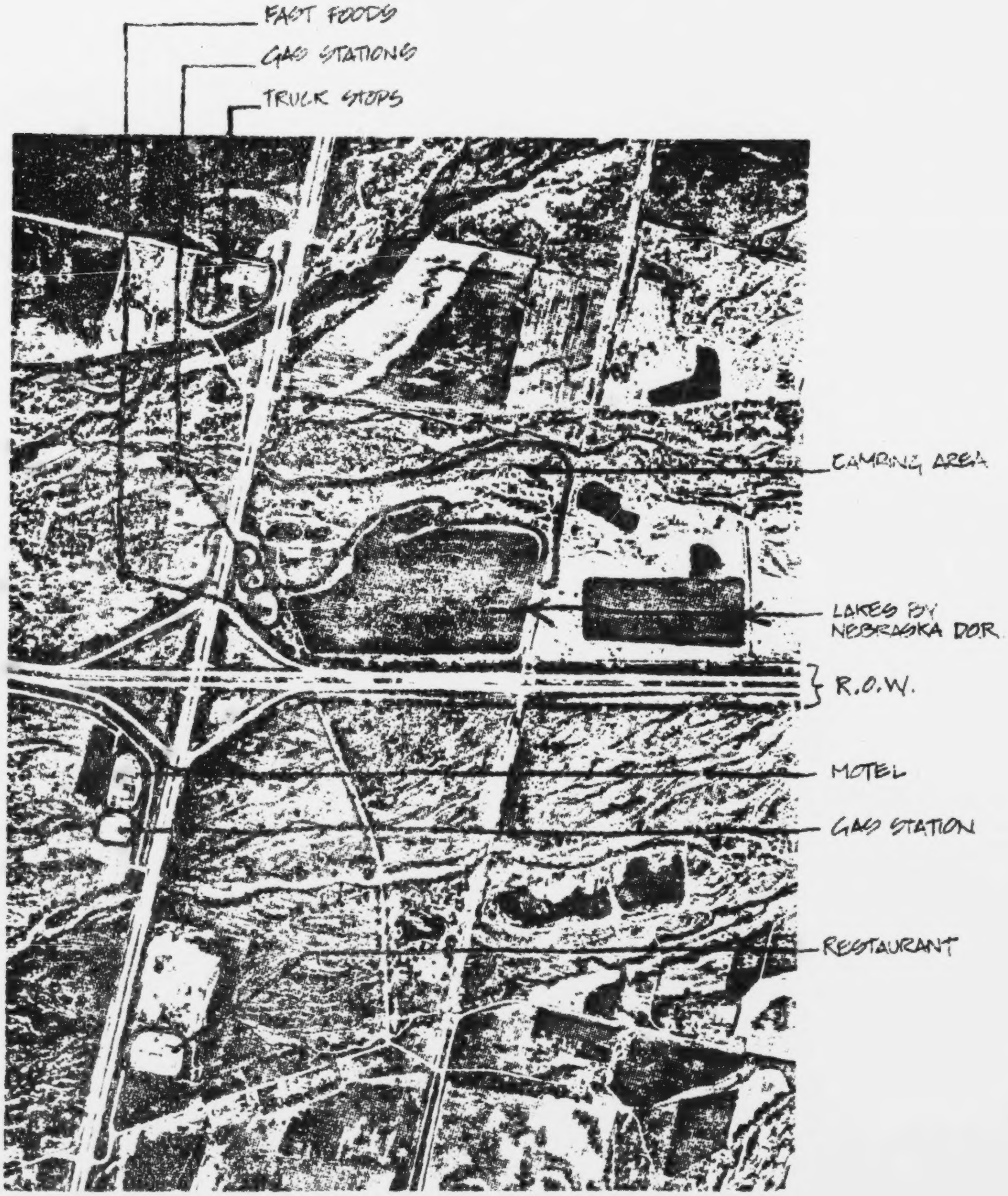
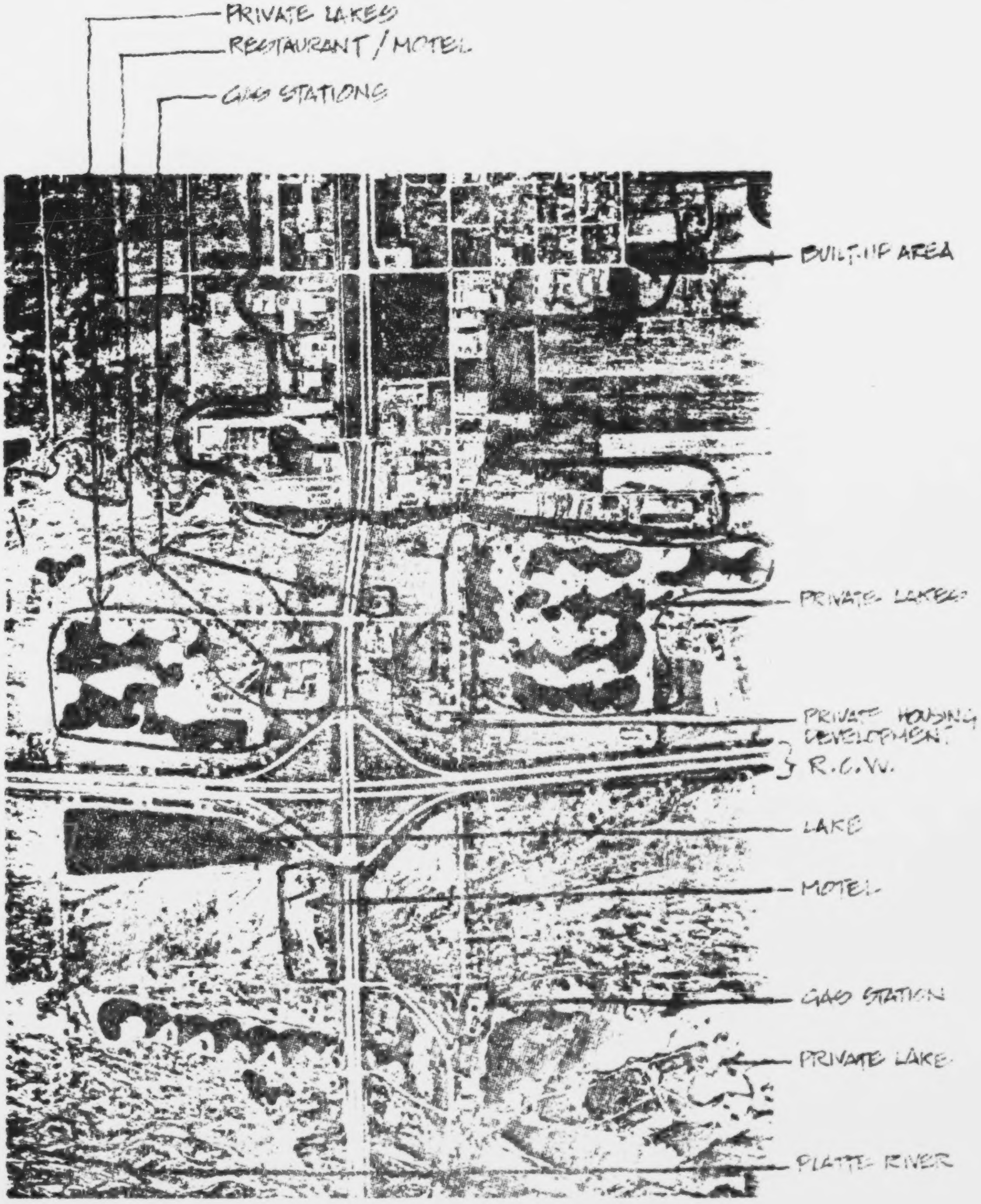

FAST FOODS
GAS STATIONS
TRUCK STOPS
CAMPING AREA
LAKES BY NEBRASKA DOR
R.O.W.
MOTEL
GAS STATION
RESTAURANT

ALTERNATIVE "B" : LAKES NEAR GRAND ISLAND
(AT ROUTE 281)


PRIVATE LAKES
RESTAURANT / MOTEL
GAS STATIONS
BUILT-UP AREA
PRIVATE LAKES
PRIVATE HOUSING DEVELOPMENT
R.O.W.
LAKE
MOTEL
GAS STATION
PRIVATE LAKE
PLATTE RIVER

ALTERNATIVE "C" : LAKES NEAR KEARNEY

In one case near Grand Island, the development of a camping area by the Game and Parks Commission has given a development order to some of the surrounding development, which includes:

3 Gas Stations
1 Truck Stop
1 Hotel
2 Restaurant (1 fast food)
1 Camping Area
2 Lakes (public)
1 Local Manufacturing Center

While the camping area and the abandonment of a small section of roadway (dismembered by I-80) have consolidated the two gas stations and a restaurant near the lake, the others have grown independently taking no advantage of the created lakes.

In another case near Kearney, a lake was created in a very simple, ordinary form, in the immediate vicinity of a built up area and six (6) other lakes, each privately created in irregular shapes. There are several communal developments in the area -- motels, restaurants, gas stations, etc. Only a motel has located near the lake and has been situated with only a foot path to the lake. The motel could have been designed in closer coordination with the lake.

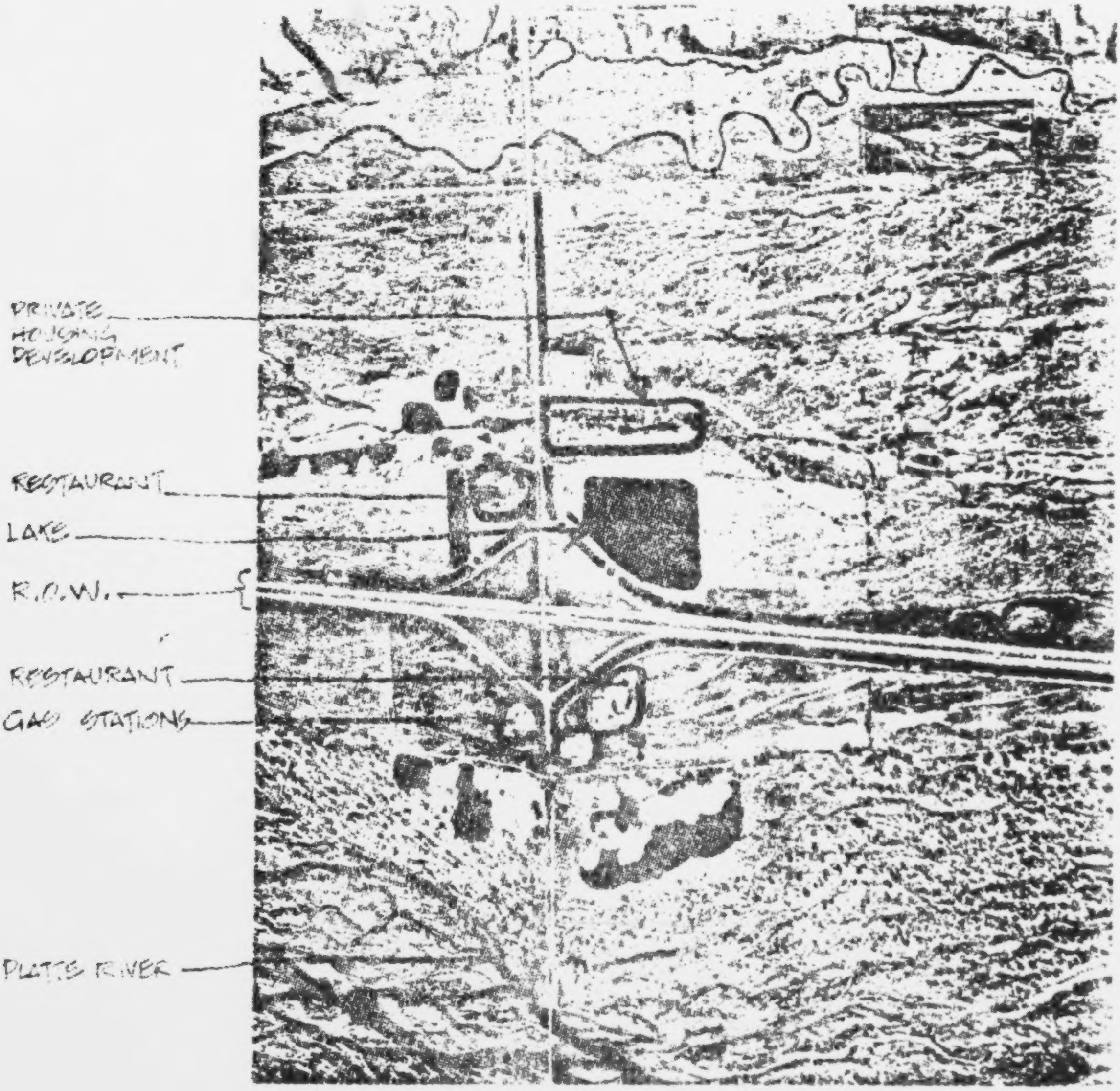
In a third case, near Odessa, a private housing developer has independently constructed a small subdivision adjacent to a lake. The lake is the simplest rectangular form and directly adjacent to the highway, so that highway noise is carried across the lake to the houses.

MAJOR ACHIEVEMENTS

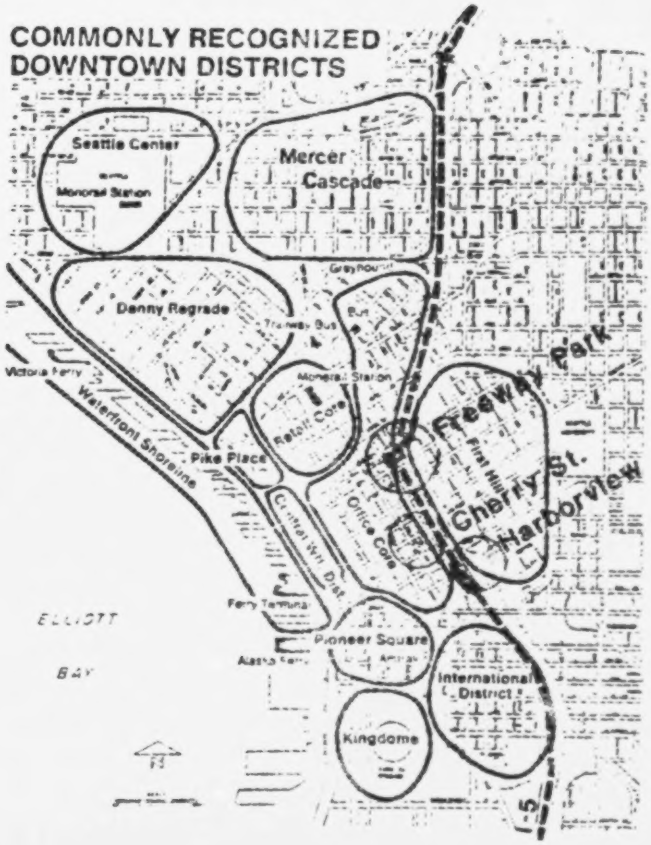
The uses of intergovernmental cooperation in each of these cases have achieved major improvements in the highway environment and have created additional resources for Nebraska residents (use of Point 8, Ten Point Program). The "capture" of the lakes in the public sector is in itself an achievement. Had traditional construction methods been followed, finding gravel sources would have been the responsibility of the contractor and the lakes would have remained in private ownership.

In each of these cases, however, a great opportunity existed for the DOR and the Game and Parks Commission to create a more ordered development pattern at each intersection/lake sites. These community benefits could have been achieved at no cost to the public sector, through careful lake design and consideration of the entire package of likely development at any site. (Points 1, 6, 7, and 9 would have been particularly useful.)

Additionally, the two agencies could have financially benefited through the sale or lease of selected waterfront property to private developers. In one hypothetical scenario, the lease of adjacent land for a motel development by the Game and Parks Commission could have provided sufficient revenue to stock and maintain that and other lakes.


PRIVATE HOUSING DEVELOPMENT
RESTAURANT
LAKE
R.O.W.
RESTAURANT
GAS STATIONS
PLATTE RIVER

ALTERNATIVE "D" : LAKES NEAR ODESSA


COMMONLY RECOGNIZED DOWNTOWN DISTRICTS
Seattle Center
Monorail Station
Mercer Cascade
Greyhound
Denny Regrade
Trailways Bus
Bus
Victoria Ferry
Waterfront Shoreline
Monorail Station
Retail Core
Pike Place
Freeway Park
First Hill
Cherry St.
Harborview
Office Core
Central Wtf. Dist.
Ferry Terminal
ELLIOTT BAY
Pioneer Square
Amtrak
Alaska Ferry
International District
Kingdome
I-5

FREEWAY PARK : AREA MAP

SEATTLE FREEWAY PARK

7.5 Freeway Park,I-5 Seattle, Washington

PROJECT OVERVIEW

The completed Freeway Park project is situated at the eastern edge of the Seattle CBD, along and over Interstate 5, which at that point consists of twelve lanes of depressed highway. The project was begun in the mid 1960's with civic plans for an urban park sponsored by Seattle's Forward Thrust and a private developer's plan for an office building, both competing for overlapping parcels of land.

After two years of negotiations between the developer, R.C. Hedreen; The Seattle City Government, headed by their Mayor, Wes Uhlman; Forward Thrust, chaired by attorney James Ellis; and the Washington State Department of Transportation (WS DOT); a tri-partite agreement between the City, the State, and the developer committed each to his respective portion of the $24 million joint public-private development. The project contains an office building, a parking garage and a park bridging the highway with segments on each side.

Perhaps the most important aspect of the project is the use of public resources -- in this case both land and construction dollars, to help guide and control private development, resulting in a significantly better physical environment. The result was achieved by a process of complex negotiations outside of the traditional land use and building control process.

MAJOR PROJECT ELEMENTS

The Freeway Park development consists of a public, 580 car parking garage; a 5.5 acre park built on a deck over part of the I-5 freeway and the parking garage; and a private 260,000 square-foot office building. The project elements are closely related through many shared construction costs, through joint use of certain property, through the resulting physical design, and through the mutual and community benefits which have accrued to each of the partners.

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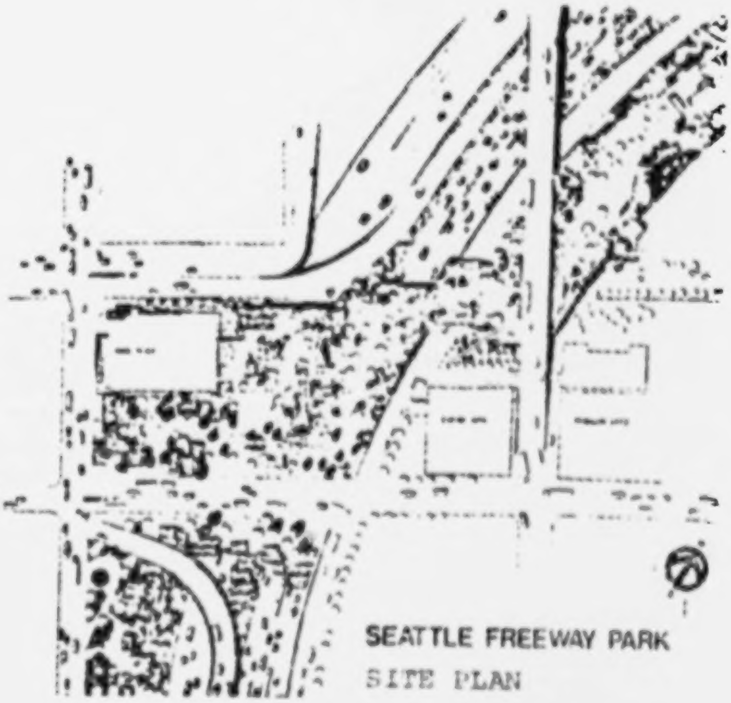
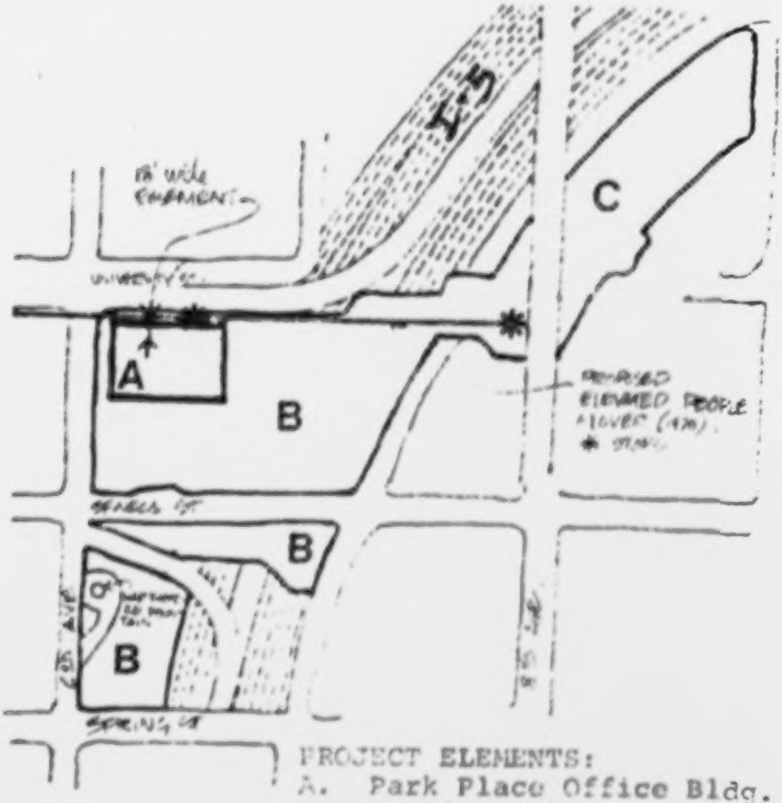


SEATTLE FREEWAY PARK

SITE PLAN


18' wide
EASEMENT
UNIVERSITY ST.
I-5
A
B
C
PROPOSED
ELEVATED PEOPLE
MOVER (1970)
* STOPS
SENECA ST
B
B
SPRING ST

PROJECT ELEMENTS:
- A. Park Place Office Bldg.
- B. Public Park
- C. Public Garage

Elements	Technique	Property	Participants
1. Office Building, 260,000 s.f.	Public-Private; Long Term Lease from SHD for Site Acquisition	Adjacent Surplus & Adjacent Private Land	Hedreen, Forward Thrust, City, DOT/FHWA
2. Public Park, 5 Acres	Intergovernmental Cooperation -- Lease to City	Air Rights over Highway and Garage	Hedreen, Forward Thrust, City, DOT/FHWA
3. Public Garage 630 Cars	Intergovernmental Cooperation: City	Adjacent Highway, Acquired by City	City, Forward Thrust, U.S. HUD

1. Park Place Office Building

The 260,000 square-foot private office building was entirely redesigned in order to accommodate the other project elements. It is situated on a combination of private land and surplus right-of-way owned by Washington DOT. The building itself includesa private underground parking lot; a dedicated park on half the original private property, which the developer maintains on behalf of the city; an 18' wide easement through one corner of the building along University Street, for pedestrian passage; and several knock-out panels at an upper level for a possible direct connection to an elevated people mover, anticipated in 1970 but not yet constructed.

Late in the 1960's, the developer, R.C. Hedreen, had gained control of a parcel of land adjacent to the I-5 right-of-way, in an area which had seen considerable recent office building activity despite the general recession in Seattle. Hedreen hired an architect, Anthony Callison, to design an office building for this parcel of land. As the firm was beginning to prepare working drawings for the building, the City of Seattle and the Forward Thrust Committee chaired by James R. Ellis, contacted Hedreen about the possibility of public investments in a highway deck, park, and public parking adjacent to his proposed development. A period of negotiation ensued in which the initial Callison design was completely revised to accommodate the public elements.

The results of the negotiation process can be seen today. With the architect, Callison, acting as a negotiator for Hedreen the entire building was turned 90° to its original plan and made considerably more compact. The modified design allowed half the width of the original parcel to be dedicated as a public park and allowed full access into the proposed park on a deck structure over the freeway. Another result of this modification was that Hedreen needed the use of an 18' wide strip of land owned by the Washington State Department of Transportation, along I-5.

The 77 year lease of this property as well as other project commitments by the City of Seattle and State of Washington were recorded in a Tri-Partite Agreement, signed June 17, 1979. Among other things, the lease included a stipulated rent for Hedreen to pay to the State of Washington of approximately $983.00 per month, to be revised beginning in 1985 and at ten year intervals.

2. Freeway Park

The 5.5 acre Freeway Park itself contains five separate elements:

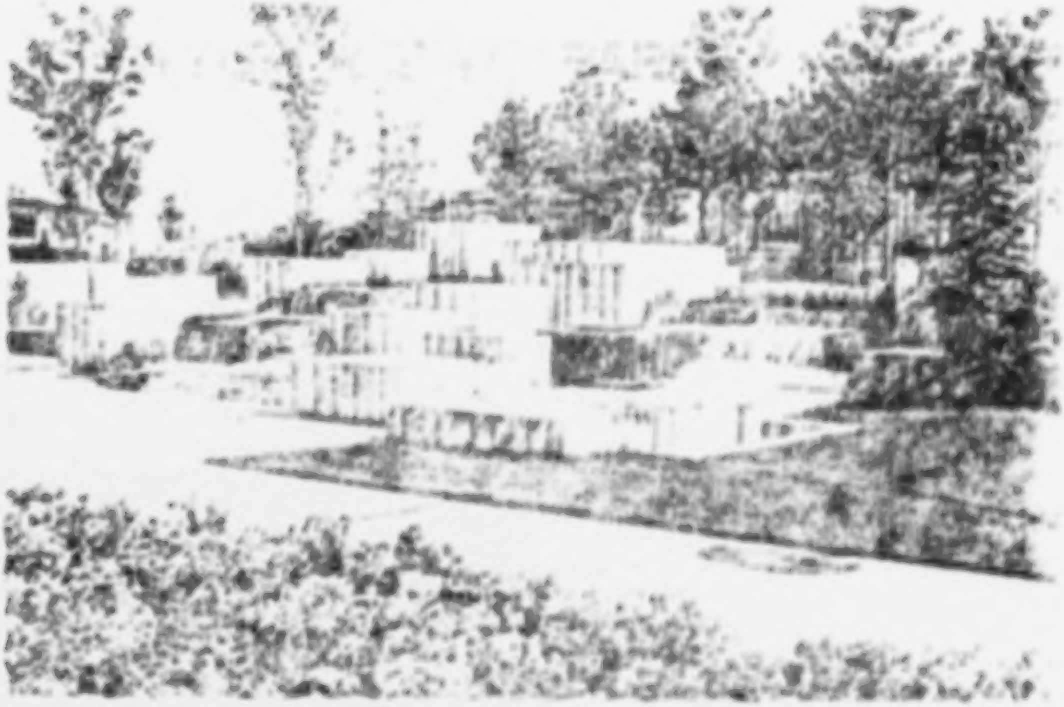
1. landscaped areas along and over the highway itself which are not accessible by pedestrians,
2. a small landscaped area predating project with the Narramore Fountain,
3. a 2 acre portion of the park, over the city parking garage,
4. a 2 acre portion of the park over I-5, and
5. one-half acre of park in front of the office building.

The three areas of the park, designed by Angela Danadjieva of Halprin Associates, are not physically distinguishable. It is now possible to cross from one side of the park to another and be almost unconscious of the freeway underneath.

James R. Ellis, a prominent Seattle attorney and chairman of Forward Thrust, is largely responsible for packaging the project and obtaining public funding for the park and garage, a total public investment of $14 million. In order to build the park, it was necessary to obtain Federal and State funds to build a deck over one block of the freeway, and to obtain city funds to acquire land and build the parking garage. The park itself, constructed on the highway deck and roof of the parking garage, was paid for with County Forward Thrust bond funds. U.S. HUD, FHWA, Washington DOT, the State

PARK PLACE OFFICE BLDG:
Corner at University St. and
6th Ave. Showing Easement

PARK PLACE OFFICE BLDG.
View From East



Interagency Committee for Outdoor Recreation, the City of Seattle, and Forward Thrust participated in the necessary capital expenditure. By 1976, the total cost of the park was less than the equivalent cost of purchasing an equivalent amount of adjacent land.

3. City Parking Garage

The 630 car parking garage on the east side of I-5 was a necessary element in the Freeway Park project in order to build up land along the freeway cut so that the park could continue at the freeway deck level and meet the grade of the adjacent hillside. Land for the garage was acquired by the City of Seattle and U.S. HUD in two separate deeds: one for the park air rights and one for the space below the park. The garage and its land were funded out of Seattle general obligation bonds, with the operating costs of the garage the responsibility of the City of Seattle Parking Authority. To date, use charges of the garage have not yet surpassed the operating costs and bond retirement demands. It was intended that an elevated people mover would connect the garage to the waterfront through the CBD office core, thus supporting the market for parking on the opposite side of the highway. The abandonment of the people mover scheme has contributed to the less than full use of the garage, although recent office building activity will contribute to its continued use.

JOINT DEVELOPMENT TECHNIQUES

Public-Private Partnership -- Long Term Lease

A strip of WSDOT surplus land adjacent to the highway was leased to Richard C. Hedreen (and the Seattle First National Bank) for compensation, for 77 years.

The lessee is to pay WSDOT 8.4% of the appraised value of the land annually. For the first fifteen years, this amount is set at $11,796 per annum, thereafter the rate may be renegotaited every ten years.

Intergovernmental Cooperation

The City of Seattle, County of King, State of Washington and the U.S. Federal Government have coordinated their actions in their contribution of funds for the construction of the project. Special bond acquisition methods as well as funds transfers were necessary, as well as mutual benefits leases from one agency to another.

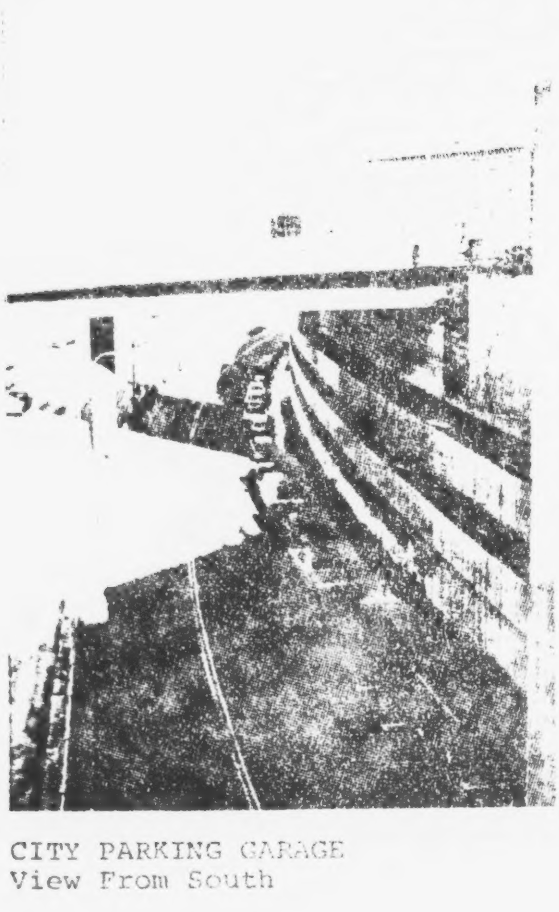
BEST DOCUMENT AVAILABLE

Development Incentives

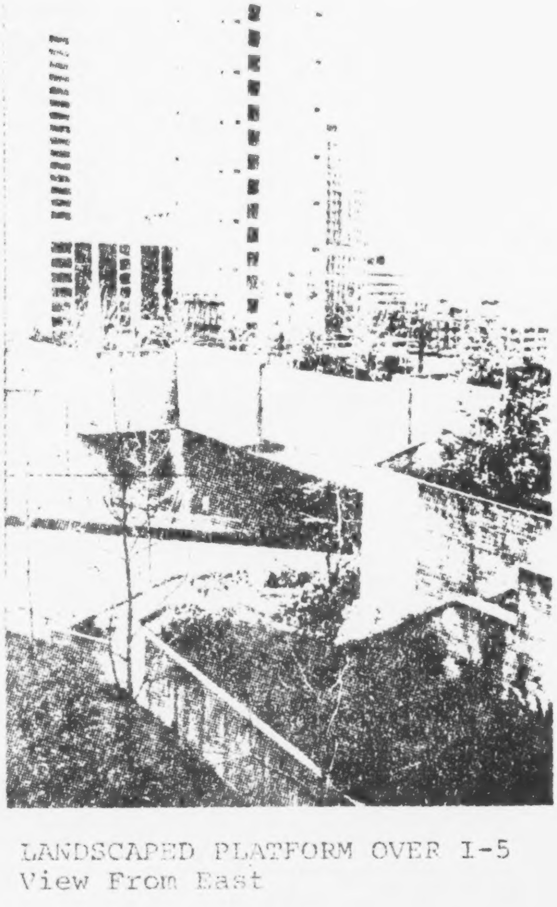
The public investment in the park and garage were used as incentives for the private development, both in order to control the shape of the development as well as to obtain public use of half of the privately acquired land.

Restrictions

The WSDOT lease to the private developer, the Tri-Partite agreement, and the City's traditional building control mechanisms were used to control the form of Hedreen's development. The use of all three provided redundant control, insuring that public benefits were obtained as desired.



CITY PARKING GARAGE
View From South



LANDSCAPED PLATFORM OVER I-5
View From East

CHRONOLOGY

1965-1968		Forward Thrust Parks and Environmental Improvement Program organized by Seattle and King County civic leaders; $330 million in County bonds authorized for works.
1968		Richard C. Hedreen proposes 260,000sq. ft. office building on private property adjacent to I-5.
		James Ellis, on behalf of Forward Thrust, begins negotiations with Hedreen, City, and State to combine office building with park across freeway, and garage.
1969	December	Initial mayoral ordinance passed authorizing City participation in Freeway Park project.
1970	June	Final Tri-Partite agreement signed by Hedreen (Developer), Uhlman (Mayor, City of Seattle), and Andrews (State of Washington). Acquisition of land for parking garage by City commences.
		Final office building design completed; architects and engineers for park and parking selected.
1972		Office building completed, occupied, construction begins on landscaping of plaza in front of office building in advance of freeway deck.
		Parking garage, park designs approved by City Design Commission.
1973		Plaza in front of office building completed.
1974		Construction begins on garage, highway deck.
1975		Garage completed, opened.
1976	July	Park completion, dedicated July 4.
1979		Second office building started adjacent to Park Place.
1980		Further development proposed adjacent to garag to include housing and office space.

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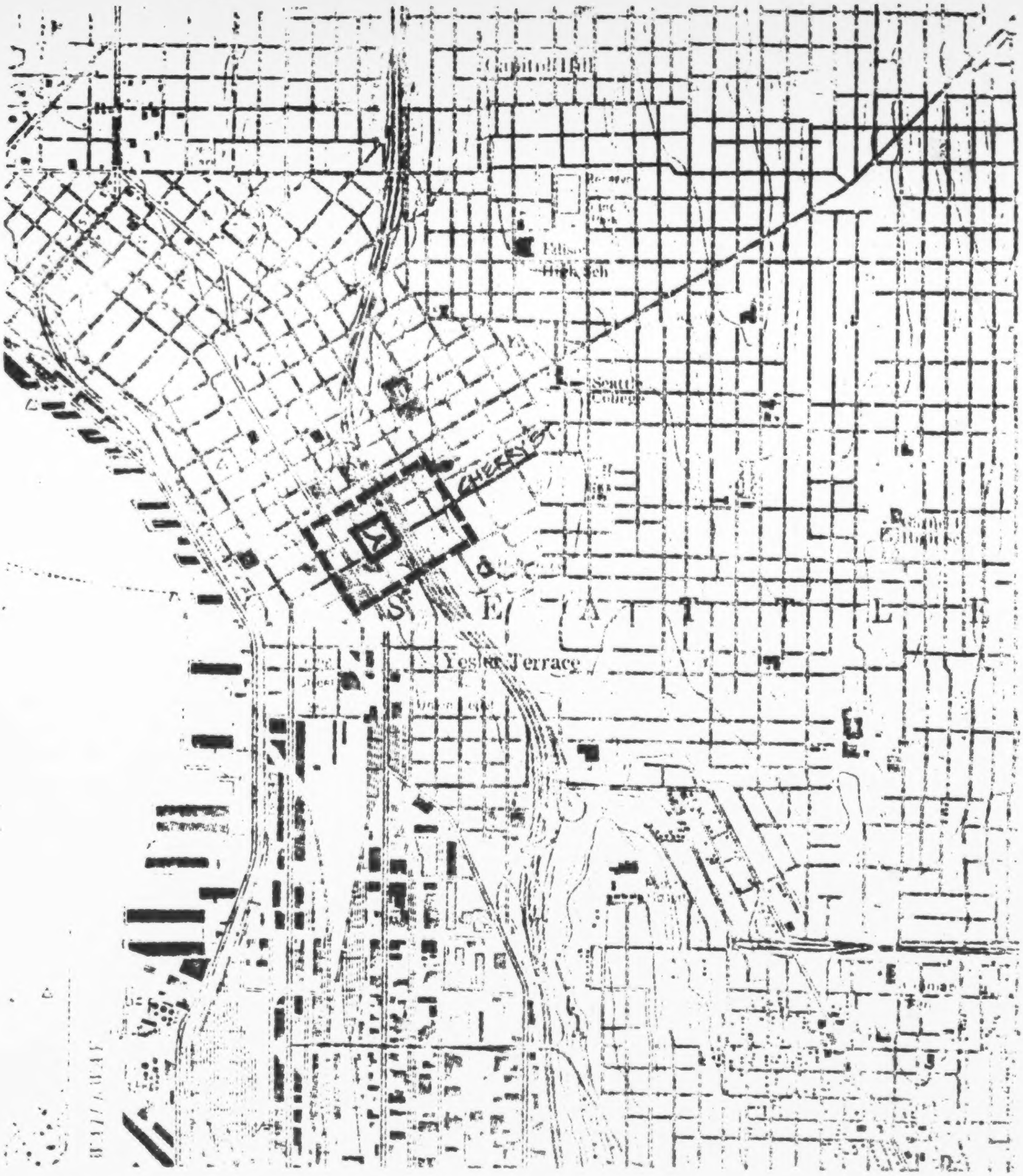
MAJOR ACCOMPLISHMENTS

The Freeway Park/Park Place project has produced three substantial benefits for Seattle. A major improvement has been made to the urban environment. An example of a new cooperative working relationship between public and private sectors for city development was born, and a substantial revenue was created for both Washington and Seattle through additional property tax and garage use fees. (By local initiative, the project achieved objectives of Points 1, 2, 4, 5, 7, 8, and 9 of the Ten Point Program.)

The private sector, specifically the developer Richard Hedreen, was willing to enter into a pre-approval series of negotiations concerning design and placement of the office building and development concessions intended to improve the local urban environment. The willingness of the developer to be a part of this process was in part the result of intense civic and public pressure, including city threats of condemnation. Additionally, the potential of an improved local environment was seen as a major marketing advantage for the office space, which proved to be both useful and effective, particularly important as the project was begun at the bottom of Seattle's recession.

The environmental design improvements created by the project are also substantial. A residential area to the east of the freeway was re-connected to the office and retail core of the CBD by a pedestrian route less tenuous than the 200 foot long bridges crossing the highway. The creation of a new 5.5 acre park located in a dense urban area with 1976 property values exceeding $50.00 per square foot is a luxury not generally available. The park is well designed, and well used in good weather. The intense planting and waterfalls almost mask the traffic sounds from below.

FREEWAY PARK
View From South


Capitol Hill
Edison High Sch
Seattle College
CHERRY ST
S E A T T L E
Yesler Terrace

CHERRY ST. : LOCATION MAP

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7.6 Cherry Street Block, I-5 Seattle, Washington

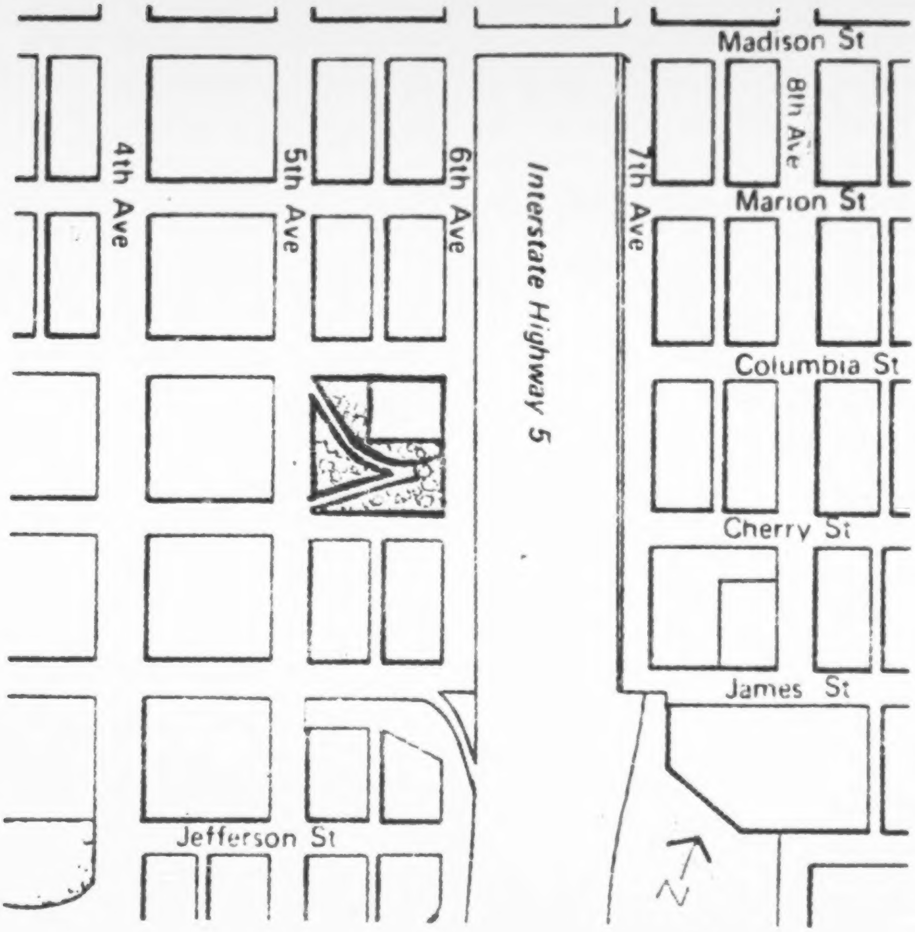
PROJECT OVERVIEW

The Washington State Department of Transportation (WSDOT) owns approximately 3/4 of a block of downtown land, out of which ramps to and from the I-5 express lanes come. There is nearly a twenty-foot elevation drop from one side of the 250' square block to the other. The remaining fourth of the block, approximately 14,000 sq. ft, has been recently purchased by a local developer, CHG International, with the intention of constructing a major office building.

In July 1978, the developers made an application to WSDOT to lease the air space on the remaining section of the block for the purpose of increasing their allowable building volume. The developer offered to pay an annual lease fee of $60,000 for use of the development rights from 34,000 square feet of WSDOT property, currently maintained by Washington DOT as a park. The application is pending. Several major issues have arisen since the application was made and are of concern to Washington DOT officials:

1. the degree to which Washington DOT should be involved in negotiation of development form;
2. the relation between City Planning and Building Department of Seattle and major projects involving Washington DOT property;
3. the possibility of the proposed development contributing to a more ordered block development with increased community benefits, if appropriate conditions are written into the lease;
4. whether the lease rate should be based upon assessed valuation, development ability to pay, or negotiated to include the private funding of public and public purpose improvements;
5. appropriate lease terms for a development rights transfer; and
6. negotiation of private development intensity on land which, because of its public ownership, is un-zoned.

The Washington DOT Commissioner has conditionally approved the lease, but only for a two-year term. This action is clearly


Madison St
8th Ave
4th Ave
5th Ave
6th Ave
Interstate Highway 5
7th Ave
Marion St
Columbia St
Cherry St
James St
Jefferson St
N

CHERRY ST.:
AREA MAP

PHOTO:
VIEW FROM EAST

inadequate for the developer to gain access to development rights from Washington DOT property but may be seen as an expression that there is a great potential to the projected development and that further negotiations are necessary.

JOINT DEVELOPMENT ELEMENTS

There are three joint development elements in this proposed project. The Washington DOT ramp areas in the block constitute one. The proposed private development another; and the air rights or development rights from the surplus Washington DOT property a third.

Elements	Techniques	Property	Participants
1. Private Land (future office space)	Private development	Private, Adjacent	CHG Developers, Washington DOT, City
2. Development Rights	Public-Private; Lease of Air Rights	Surplus, Adjacent	WSDOT, CHG Developers
3. Ramp areas	Retention	Roadway	WSDOT

1. Private Land

CHG developers now retain control of 14,000 sq. ft. of land at the corner of Columbia Street and 6th Avenue. Located on the property are two old apartment buildings, four stories tall each. CHG intends to construct a major office building on this site and wishes to build more than the allowable building volume, established as a floor area ratio of ten by the Seattle Zoning Code. In order to surpass the zoning

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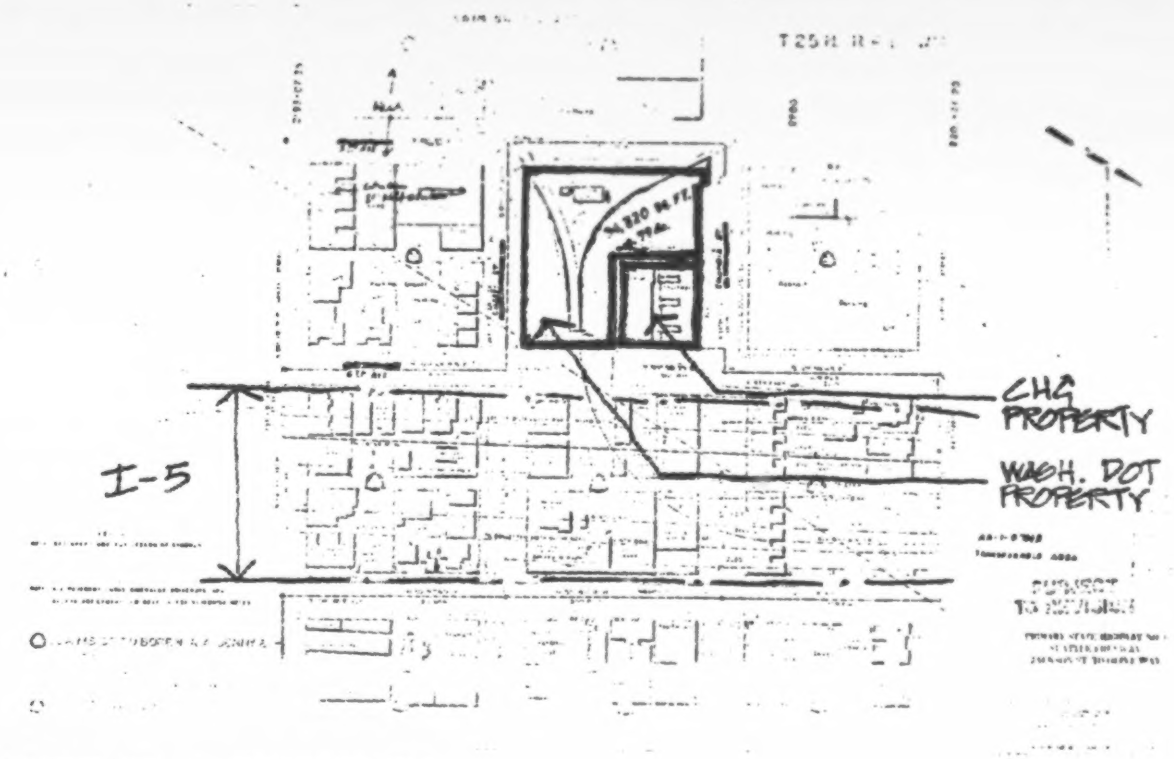
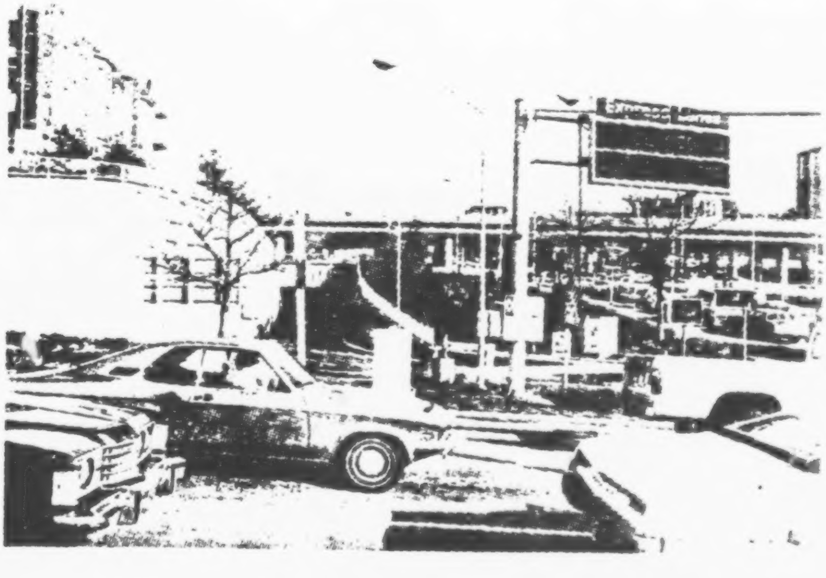

T25N R4E WM
I-5
CHG PROPERTY
WASH. DOT PROPERTY

CHERRY ST. : PROPERTY MAP



VIEW OF
EXIT RAMPS

code, CHG has requested to lease adjacent air rights of WSDOT property surrounding the Cherry Street freeway ramp and adjacent to their property.

2. WSDOT Air Rights

Currently, the property adjacent to the ramps is landscaped with scattered shrubs and has benches along the edges. The possible use of development rights from this 34,320 sq. ft. of adjacent land or even the entire 48,000 sq. ft. area in public ownership has suggested development possibilities in excess of a simple lease of air rights. These include:

1. Decking (lidding) of the entire block, in stepped form, allowing the "creation" of an additional 14,000 sq. ft. of development rights and possibilities for greater community benefits form a fully coordinated block design including integrated public open space.
2. Decking all or part of the site and including a retail shopfront at street level, with open space above.
3. Allowing development of the private parcel with no further improvement to WSDOT property.
4. Development and improvement of the entire block in conjunction with the City Hall and plaza expansion contemplated for the next block.

Because of the lack of involvement of city officials to date (they have neither requested nor been requested to be part of the development negotiation) and the uncertainties mentioned above, a final WSDOT action has yet to be taken on the application.

3. I-5 Ramp Areas

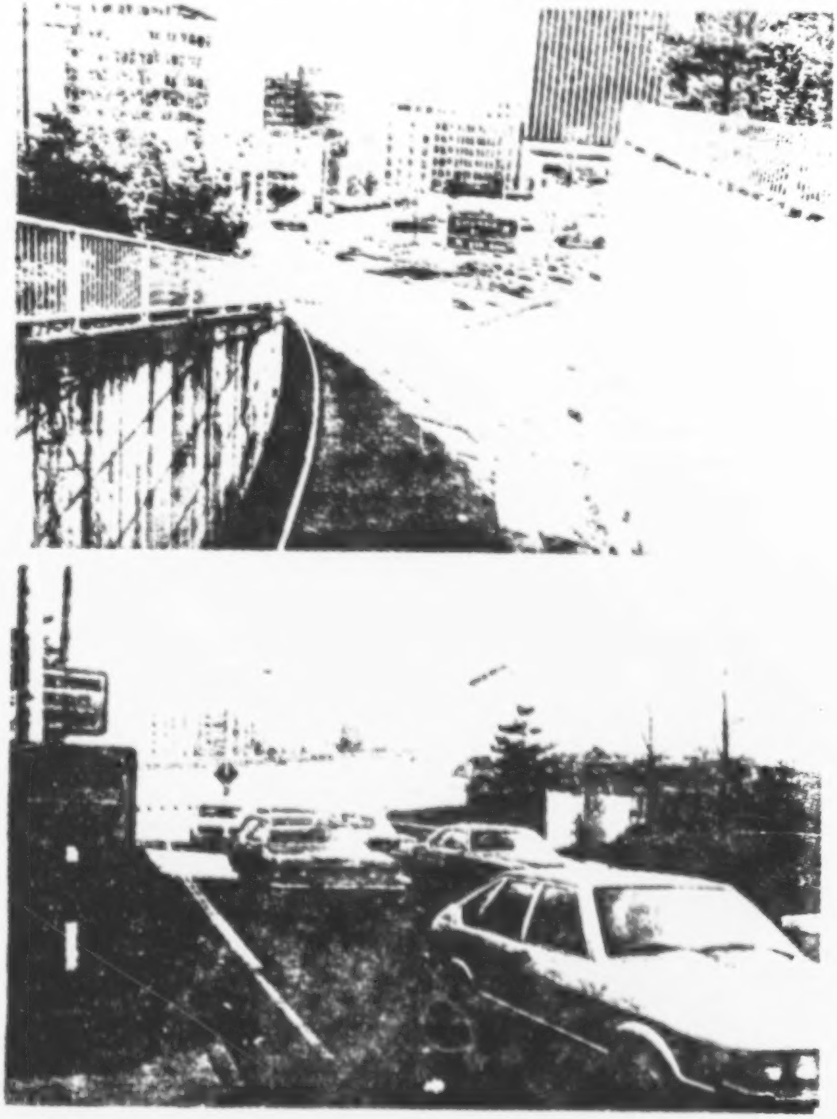
One concern of WSDOT about the lease of all or part of the development rights of the block is the potential restriction on future highway related construction opportunities. Both ramp modification and the possible construction of an inter-model terminal on this site have been considered as potential long range actions.

JOINT DEVELOPMENT TECHNIQUES

Many techniques for joint development are available to both WSDOT and the City of Seattle, including leasing, development participation, and public investment. This project exemplifies the technique of transferring development rights, from public land to private use.

Public-Private Partnership: Transfer of Development Rights

By Seattle law and practice, air rights of property may be combined with adjacent land to define an allowable zoning envelope, effectively allowing the transfer of development rights. In this case, negotiations have defined 34,320 sq. ft. of legally adjacent property on the Cherry Street block, available for lease or development. An additional 14,000 sq. ft. of space on the block is taken up by the ramps, as they emerge from underground on the East side of the block and open onto 5th Avenue.



VIEWS OF
EXIT RAMPS

CHRONOLOGY

1959		Preliminary I-5 ROW, including Cherry Street Block chosen, approved. Acquisition proceedings begun.
1976		I-5, with ramp areas completed, Cherry Street block landscaped.
1978	July	Application received from CHG Developers for lease or development rights.
1979	July	Washington DOT engineers approvals obtained (13).
1980	January	Application approved in principle by WSDOT Administrator, but for two year period.

MAJOR ACHIEVEMENTS

As yet, there has been no construction and no resolution to the lease application. Major achievements are limited to the identification of important issues of land development control involving state highway department land. Implementation of Points 1, 2, 4, 7, 9, and 10 of the Ten Point Program will immensely aid the implementation of the best development at this site.

What remains unresolved, in this case, is which agencies and entities have and will use powers of development control through negotiation. By law, this power is vested first in WSDOT who may negotiate terms of a lease; and second in the Seattle Building Department who must approve all building applications. The question remains as to whether the city should or can be involved in the earlier development negotiations. The reason for their earlier involvement may be to achieve developer constructed public imporvements in exchange for lease rebates, much in the same manner as New York City's Bonus Zoning system works.

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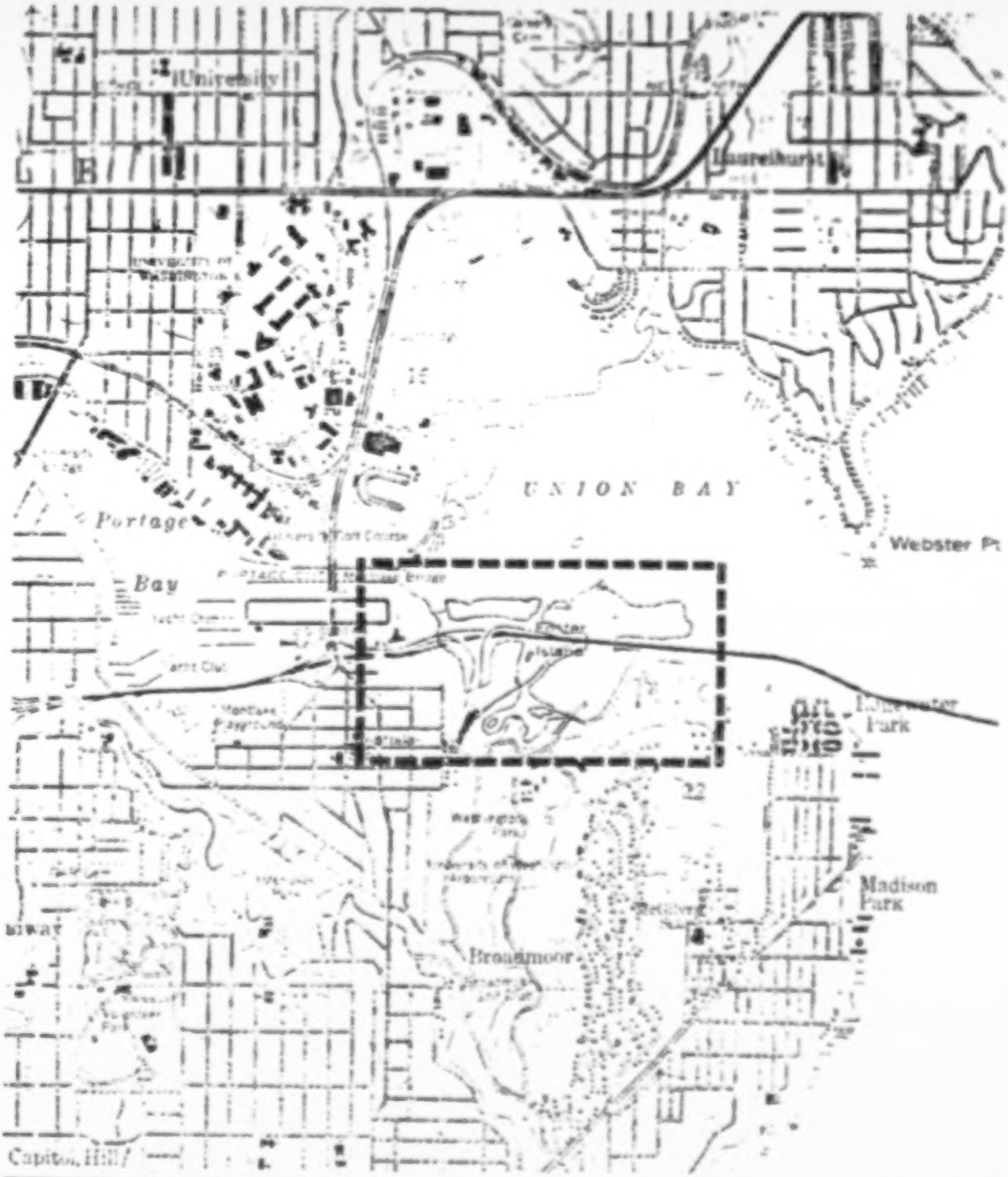

University
Laurelhurst
University of Washington
UNION BAY
Webster Pt
Portage
Bay
Foster Island
Montlake Playground
Washington Park
Madison Park
Broadmoor
Capitol Hill
22

ARBORETUM : LOCATION MAP

7.7 Arboretum

Seattle,Washington

PROJECT OVERVIEW

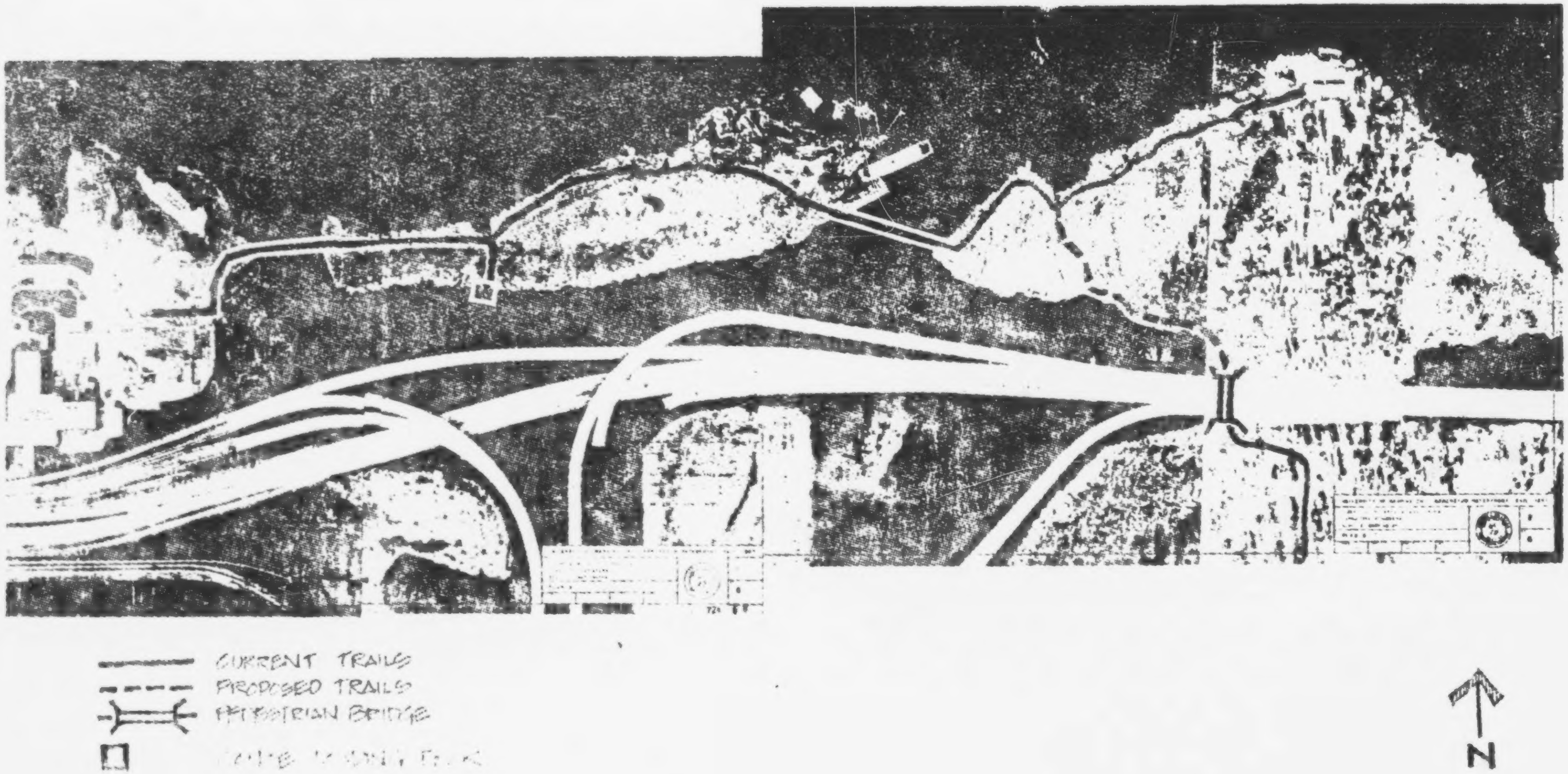
The Seattle Arboretum is an area of park, marsh, and waterways owned in part by the University of Washington and in part by the City of Seattle. By agreement it is maintained and managed by the University. The northern edge of the Arboretum is marshy and borders the Lake Washington Ship Canal. The Evergreen Point Floating Bridge, State Route 520, cuts through this marsh land. Further south, the Arboretum becomes solid land and inserts itself into the Capitol Hill peninsula of Seattle, like a wisdom tooth in a jaw.

During the 1950's, the northern section was inaccessible by foot and rarely used for recreation purposes. The edge along the ship canal was used by the Army Corps of Engineers and the Seattle Engineering Department as a log dump -- a place to gather and burn the various pieces of floating refuse gathered on Lake Washington and in the Ship Channel. In 1964, the Washington State Department of Transportation (WSDOT) acting through the Bridge and Tunnel Authority acquired approximately sixty acres of this property form the University for the construction of the floating bridge and proposed Thompson Expressway. The University received approximately $800,000 for this property and placed it into a trust to provide annual maintenance funds for the Arboretum.

With major physical changes being proposed to the Arboretum resulting from the highway construction, the University began a planning process for revisions to and development of the Arboretum. Sasaki, Dawson, and Demay were commissioned to work with the University's own landscape architect, Eric Hoyte, in preparation of a master plan.

Construction of SR520 through the Arboretum involved a dredge and fill operation, although in this section, the highway was built on piers. Waterway access was achieved from the canal under the highway and into the Arboretum. Foster's Island was created and connected to the mainland by a small pedestrian underpass at one point along the highway.

The Arboretum master plan called for nature trails, boat landings, foot bridges, and much planting. Through the 1960's, the University worked on this approach, culminating in the development of the boat landings, nature trails, and bridges, shown on


CURRENT TRAILS
PROPOSED TRAILS
PEDESTRIAN BRIDGE
N

ARBORETUM : EXISTING AND PROPOSED FACILITIES

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map. Funding for these improvements came from the U. Washington trust fund and the U.S. Department of the Interior.

Currently, the trail system is incomplete, not connecting through from the Museum area, where it starts, to the highway underpass. It is, however, well used by Seattle residents.

JOINT DEVELOPMENT ELEMENTS

In this project there are only two joint development elements, the highway itself and the recreational development of Foster's Island near the highway.

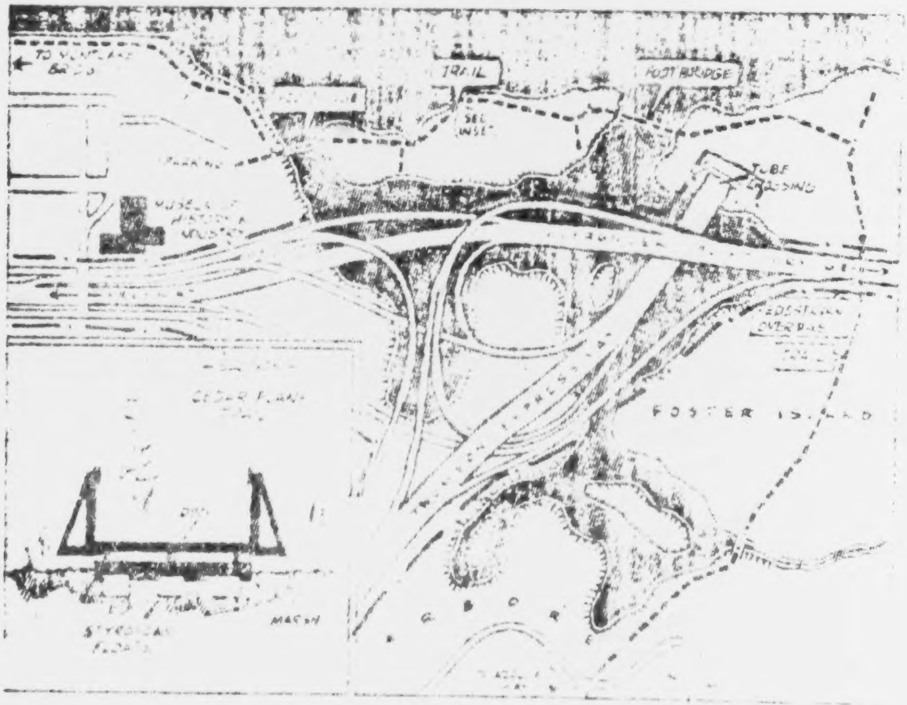
Elements	Techniques	Land	Participants
Highway	Use of State Funds to Build Underpass	Acquired in Fee by State Underpass	U.S. DOT
Foster's Island Development	Trust Fund (University) Provides Income for Project	Owned by University Adjacent to Roadway	University

Highway

When constructing the Floating Bridge, the State built an underpass on a land neck to allow the owner of property on both sides of the highway access across. This was the sole expenditure of highway related funds towards the development of the Foster's Island area of the Arboretum. The payment to the University of $800,000 was reimbursement for land (and marsh) takings. The dredge and fill operation which accompanied the highway construction, however, made possible the recreational development of the island by the University.

EVERGREEN POINT FLOATING BRIDGE

ORIGINAL MASTER PLAN : 1965


TO MONTLAKE BR'G
TRAIL
FOOT BRIDGE
SEE INSET
PARKING
MUSEUM OF HISTORY & INDUSTRY
TUBE CROSSING
PEDESTRIAN OVERPASS
CEDAR PLANK TRAIL
FOSTER ISLAND
A R B O R E
STYROFOAM FLOATS
MARSH

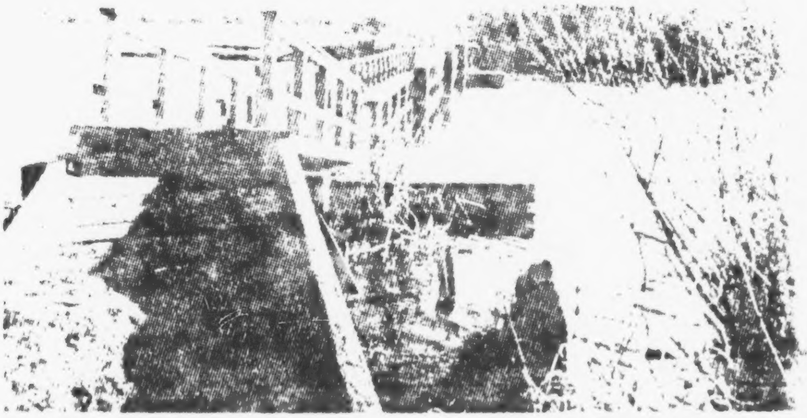
Foster's Island

With the Trust Fund established from land takings, the University of Washington has an income stream specifically designated for maintenance and improvement of the Arboretum. A portion of these funds combined with $45,000 from the U.S. Department of the Interior allowed the construction of the recreational improvements to Foster's Island. These include:

1. floating trail system connecting Museum of History and Industry to Foster's Island, including the bridges,
2. canoe loading docks along the trails,
3. clearance of the unwanted log dump from Foster's Island, and
4. planting and landscaping of Foster's Island.

Because of a shortage of funds, the trail system has not been connected to the underpass, which has an independent trail system connecting back to the mainland.

FLOATING TRAIL



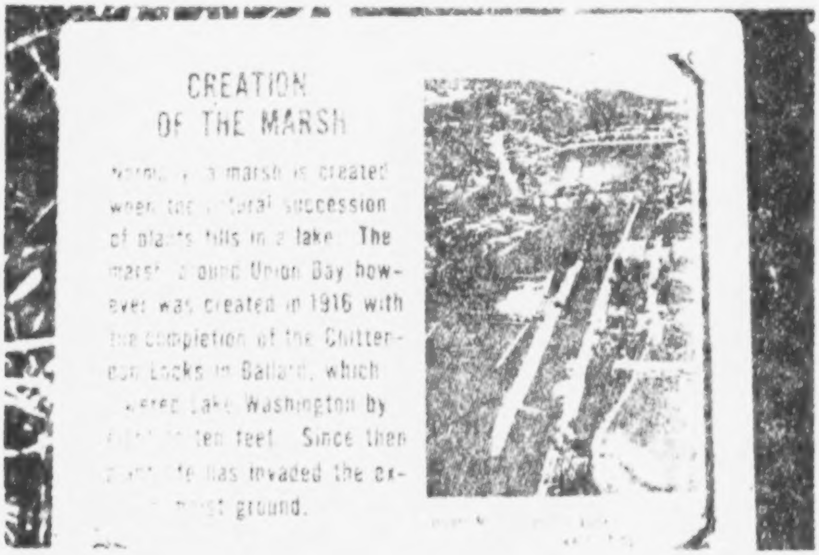
CHRONOLOGY

1916		Creation of Foster's Island marsh area by the construction of the Chittendon Locks, which lowered the level of Lake Washignton by ten feet.
1964		Acquisition of ROW, clearance of 300 (est.) trees in marsh area for roadway. Approximately sixty acres purchased from University of Washington for estimated $800,000. University of Washington establishes trust fund for Arboretum. Master plan for Arboretum prepared by Sasaki, Dawson, and Demay.
1965		University of Washington proposes Foster's Island development to City, U.S. Army Corps of Engineers. Log dump still located on island. Walkways and trails proposed. (These were designed not to impede with a proposed tunnel under harbor, the continuation of the planned Thompson Expressway.)
1966		U.S. Department of the Interior grants $45,000 to project. Administered by State Interagency Committee for Outdoor Recreation (SIACOR). Matching funds form University of Washington used.
1967		Walkways laid out over Foster's Island, Highway construction substantially complete, area stabilized as combination water and marsh/land. Log dumps still in place along edge of island.
1968	January	Partial completion of walkways, trails, and floating bridges.
1968		State 520, the Floating Bridge completed.
1970		Washington DOT acquires land for Thompson Expressway.
1974		City of Seattle, by vote, cancels the Thompson Expressway.
		City of Seattle repurchases ROW from WSDOT, resells to private individuals.
1979		All bonds for SR520 paid off by tolls. Toll booths eliminated.

MAJOR ACHIEVEMENTS

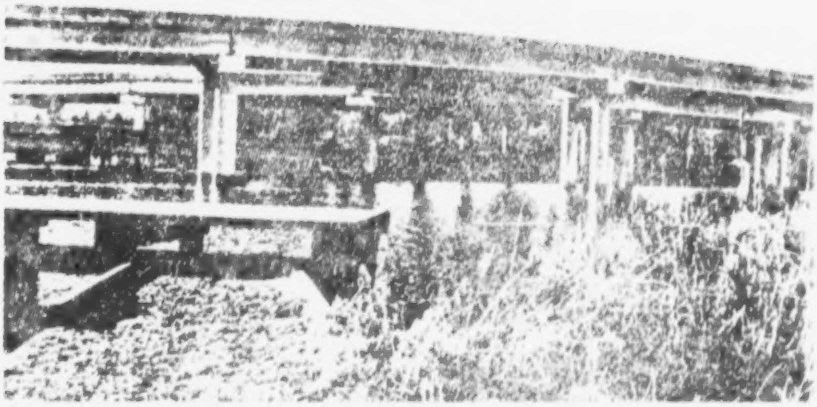
No highway related funds were directly used in these improvements, and no highway department control was exercised. The development of adjacent property into an active recreation area by the University of Washington has been a valuable addition to Seattle, with many community benefits. Because of the dense plant growth in the marsh area, the highway itself is not an overbearing element, either visually or in terms of noise generation. While no responsibility falls directly to the highway department, many lessons may be learned about how recreational areas and highways can be well integrated.

The implementation of Point 9 will aid in disseminating information about this project. Local initiatives and funds are responsible for the effective local implementation of Points 1, 2, 3, and 4 in this case.

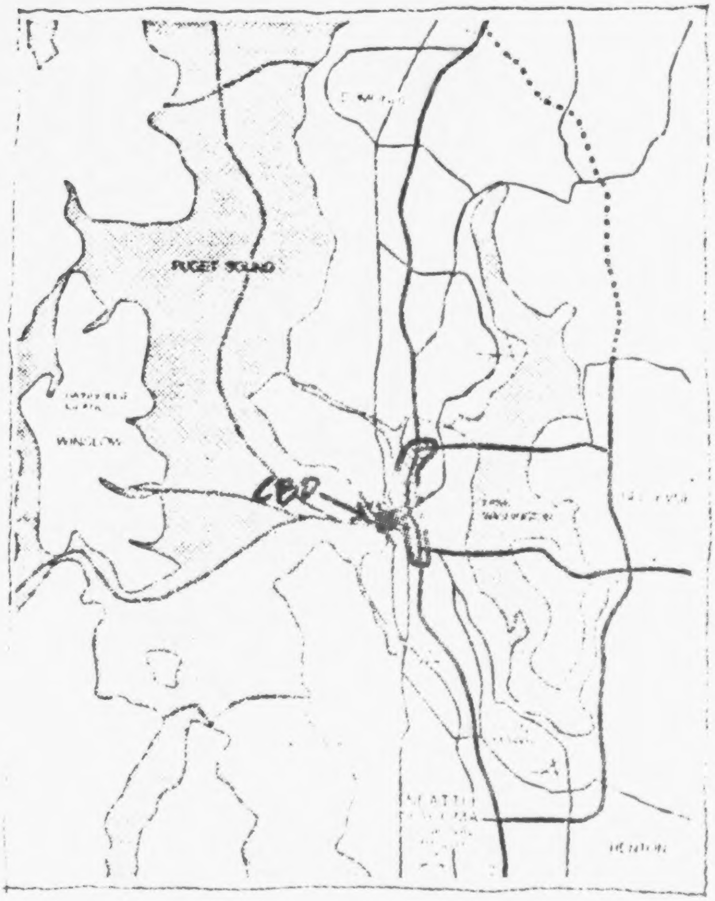


CREATION
OF THE MARSH

Normally a marsh is created when the natural succession of plants fills in a lake. The marsh around Union Bay however was created in 1916 with the completion of the Chittenden Locks in Ballard, which lowered Lake Washington by about ten feet. Since then plant life has invaded the exposed moist ground.



CANOE LOADING DOCK


PUGET SOUND
WINSLOW
CBD
RENTON

MISCELLANEOUS PROJECTS, I-5 : LOCATION MAP

7.8 Miscellaneous Projects, I-5 Seattle, Washington

PROJECT OVERVIEW

The Washington State Department of Transportation (WSDOT) practices an active policy of marketing surplus right-of-way parcels to both public and private sectors. Rights to these properties are transferred by means of long term leases. When written to other public agencies -- such as city or County governments -- they are usually at no cost and called "mutual benefits"; when written to the private sector, the lease rates are set by a negotiation process involving independent appraisals of property value, the individual lessee's ability to pay and the created value of the additional property. Additionally, WSDOT uses much property under and adjacent to its elevated highways for its own purposes -- maintenance yards, driver licence offices, etc.

Three major factors have influenced WSDOT to adopt this active policy. First, WSDOT is primarily funded from a dedicated gasoline sales tax and operates within its own budget limitation. Any income it can produce can be directly applied to other transportation related expenses. Current leases to the private sector, for the entire state, generate more than $140,000 annually in income. It has been estimated that this figure could easily be doubled or tripled if available land within the Seattle region were marketed and leased. The lease of the Cherry Street block, for instance, would yield at least $60,000 in annual fees.

The second factor is the Seattle topography. Seattle has been built on a series of steep hills, with many city streets historically constructed on wooden trestles ten to thirty feet above grade. When I-5 was constructed, it was laid into a valley adjacent to downtown. As it heads south, the downtown Seattle hill disappears, and the highway is constructed on the edge of a hill side. To prevent erosion, land slippage, and control embankments, WSDOT acquired substantial right-of-way on either side of the highway. Exit and entrance ramps leave the highway as much as sixty feet elevated, making a slow descent to grade as much as ½ mile away from the highway. In most cases, fee simple deeds were acquired for the entire ramp area. Where the highway and ramps pass through industrial sectors, adjacent industries may easily expand into the ROW under a ramp a hundred feet in the air. The topography combined with WSDOT's generous takings have thus created a substantial amount of surplus ROW which is now being marketed.

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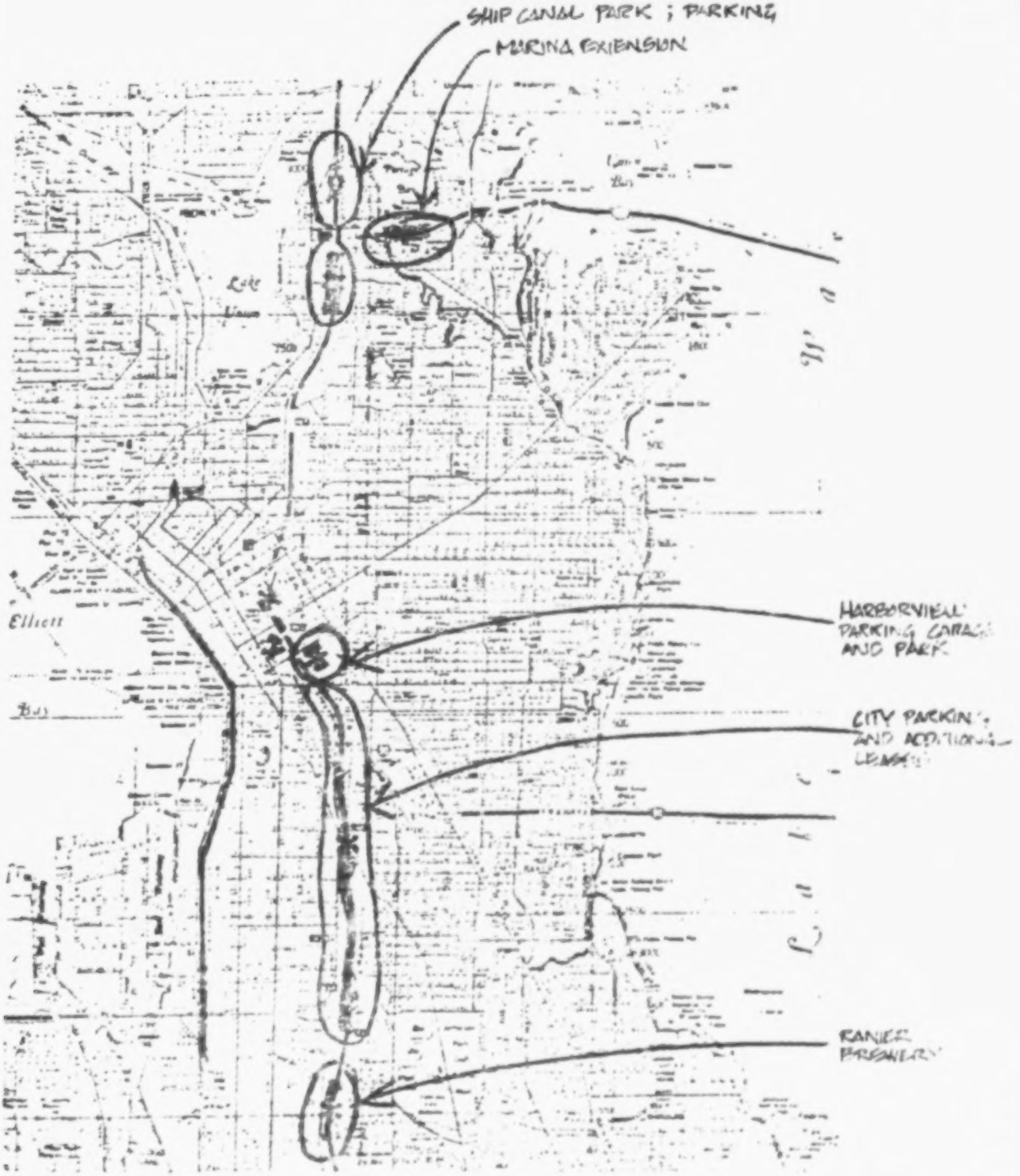
SHIP CANAL PARK ; PARKING
MARINA EXTENSION
Elliott
Bay
HARBORVIEW PARKING GARAGE AND PARK
CITY PARKING AND ADDITIONAL LEASES
RANIER BREWERY

MISCELLANEOUS PROJECTS, I-5 : ELEMENTS

A third factor supporting WSDOT's land disposition policy has been the development of their property management office, located in the Right-of-Way Division. This office was established as WSDOT began to acquire residential and business properties in advance of the construction of several Seattle area highways. During the 1970's, two of these highway projects were cancelled, leaving WSDOT with acres of inhabited property, which as landlord, they were responsible for managing, keeping rented and maintained. In one case, the Thompson Expressway, these properties were repurchased by the City Government and resold to private individuals. In other cases, property has remained with WSDOT, waiting for the revival of projects.

With a mandate to manage this property, the Right-of-Way Division was expanded, and through the enthusiasm of certain individuals, the management and leasing function was expanded to consider other surplus parcels along and under I-5. Underlying the policy has been the continued commitment of WSDOT to responsibly landscape and maintain their ROW properties, especially the substantial embankments and downtown properties. With an intent of producing both community benefits as well as income (or the elimination of maintenance costs), WSDOT has recognized that property leased to others, with others responsible for improvement and/or maintenance, carries no operating cost to WSDOT.

PROJECT ELEMENTS

The cases discussed below, while less complicated than Freeway Park or Cherry Street, are important contributions to the responsible management function of a State highway department and show how joint development of surplus ROW properties can achieve financial and/or environmental design benefits.

Project	Technique	Property	Participants
1. Marina Extension (Proposed) #520	Long Term Lease to Yacht Club	Under Bridge ROW	WSDOT/FHWA, Yacht Club
2. Ship Canal Park (#7-05495	Mutual Benefits. Lease to City, 40 years (1976)	Under/Adjacent to Viaduct. ROW	WSDOT/FHWA, Seattle Parks

Project (cont.)	Technique	Property	Participants
3. Tennis Court(s) (7-306)	Mutual Benefits Lease to City, by Permit (1966)	Under Viaduct. ROW	WSDOT/FHWA, Seattle Parks
4. School Parking, Playground (P. 7, AA-7-01581)	Lease to School District, 50 Years, $1.00 per Year (1961)	Under Viaduct. ROW	WSDOT/FHWA, School District
5. City Parking	Mutual Benefits. Lease to City	Under Viaduct. ROW	WSDOT/FHWA, Seattle
6. City Parking (P. 4, AA-1-05013)	Mutual Benefits. Lease to City, 50 Years	Under Viaduct. ROW	WSDOT/FHWA, Seattle
7. Park and Ride (P. 6, AA-1-05230)	Mutual Benefits. Lease to METRO, 5 Years (1979)	Under Viaduct. ROW	WSDOT/FHWA, METRO
8. Ranier Brewery	Long Term Lease to RBC	Adjacent, ROW	WSDOT/FHWA, Ranier
9. Parking (P. 5, AA-1-006584)	3 Year Lease with Options @ $625 per month	Under Viaduct. ROW	WSDOT/FHWA, Private
10. Harborview Parking, Park	Mutual Benefits. Lease	Adjacent, ROW	WSDOT/FHWA, County Govt.
11. Driver/Licence Bureau	WSDOT Action	Under Viaduct, Adjacent. ROW	WSDOT

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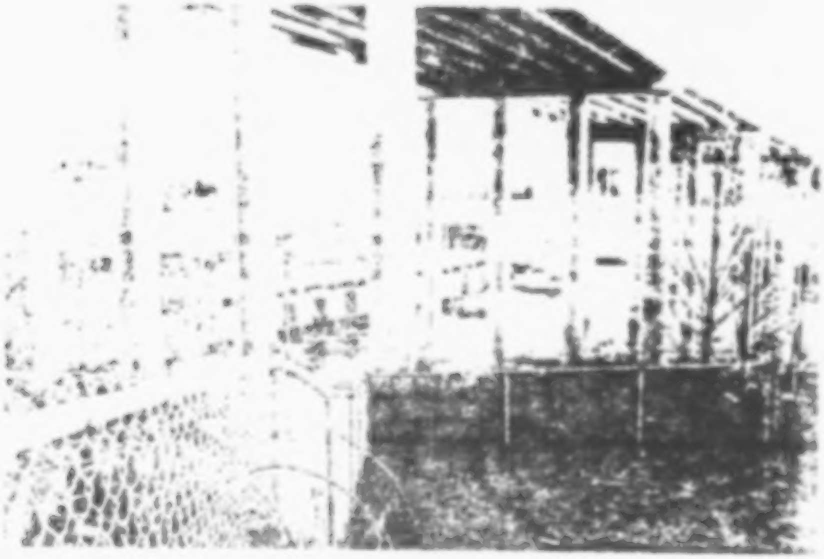

MARINA EXTENSION

SHIP CANAL PARK

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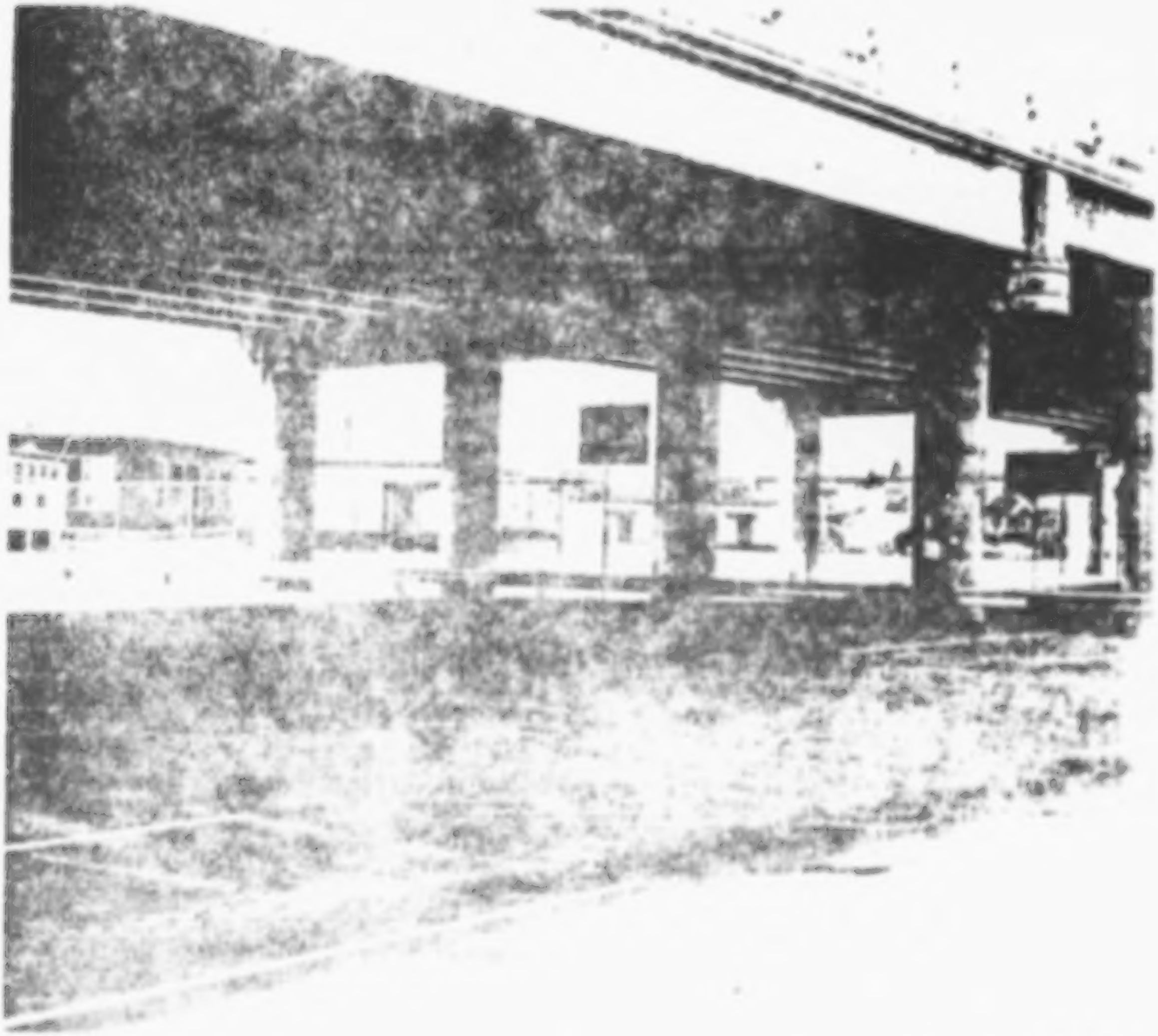


1. Marina Extension

The Queen City Yacht Club has applied to WSDOT for a lease for use of water space under the State Route 520 Bridge. The yacht club wishes to expand its pier and mooring area, using water property owned by WSDOT. This lease, which would involve revenue, is currently under consideration by WSDOT.

2. Ship Canal Park

This project is a landscaped park under and adjacent to I-5, just before it bridges the Ship Canal. At the park site, I-5 is quite high overhead, as the peninsula slopes down to the water. Improvements to the site were made by WSDOT with Federal aid as part of the construction of the freeway in 1976. Upon completion, the property was turned over to the City of Seattle under a forty year mutual benefits lease.

The site is in between a residential neighborhood (to the east) and a commercial strip which follows the shore of Lake Union. The park forms a useful buffer.

3. Tennis Court(s)

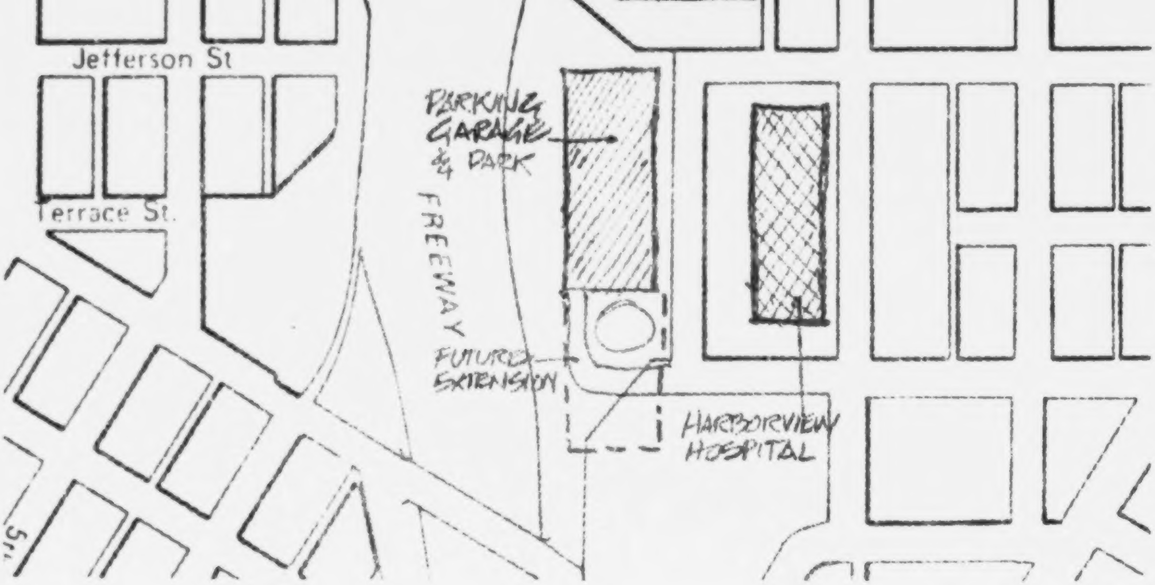
In 1966, WSDOT leased several acres of air space under the I-5 Viaduct to the City of Seattle for their construction of tennis courts and parking. The lease was established, without fee, as mutual benefits. To date, only some parking and one of seven planned courts were constructed by the City of Seattle. No WSDOT or Federal-aid funds were used for construction of improvements.

4. School Parking

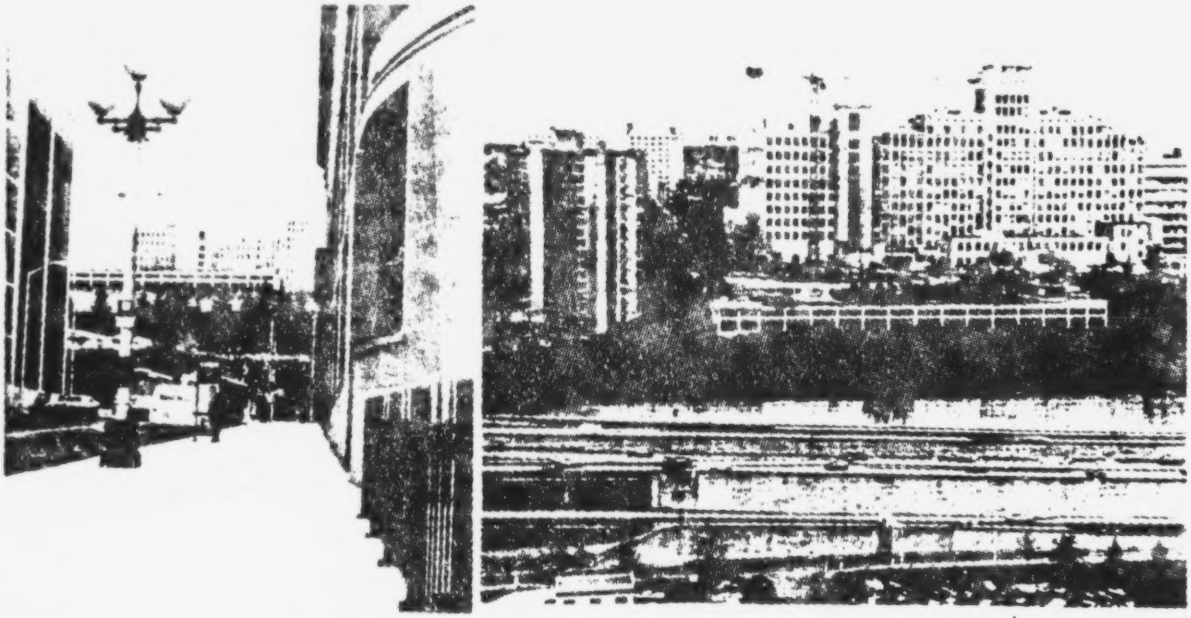
In 1966, WSDOT leased to the Seattle School District property under and adjacent to a viaduct for their construction of parking and playground facilities. The lease was written for a fifty year term with a nominal rate of $1.00 per annum. The areas have been constructed, although it has never been fully used, partially resulting form a change in status of the school.

5. & 6. City Parking

At several locations, WSDOT has entered into long term leases (forty or fifty years) with the City of Seattle for the construction and operation of parking areas. In one case, the area was improved (paved and landscaped) by WSDOT, in others by the City and in others the land remains used but unpaved. Each of these leases has been written on a mutual benefits


James St
APT. BLDG.
Jefferson St
PARKING GARAGE & PARK
FREEWAY
Terrace St.
FUTURE EXTENSION
HARBORVIEW HOSPITAL

HARBORVIEW PARKING GARAGE & PARK
AREA MAP AND PHOTOS



basis, implying that WSDOT benefits through not being required to maintain the property, and the city gains by having use of the property. Each of these areas operates satisfactorily; however, three administrative difficulties arise:

1. WSDOT does not approve of the city providing free parking to its employees, when WSDOT/Federal-aid funds are used for construction and while WSDOT employees must pay for their own parking.
2. When the City of Seattle reviews income from parking, WSDOT feels entitled to a share of the parking fees, and
3. When the City does not improve a lot, WSDOT considers lease restrictions as violated and considers rescinding the lease.

7. Park and Ride

In 1979, WSDOT entered into a five year mutual benefits with METRO (the Seattle transit entity) for construction of several park and ride lots. As above, METRO is responsible for lot improvements.

8. Ranier Brewery

The Ranier Brewery is one of many industries located south of the Seattle Central Business District and adjacent to the I-5 highway. In this area, I-5 has been built on the slope of a hill, with much land adjacent on the downhill side of the highway being available after construction. This is a strip of WSDOT land between the highway and a row of industries. WSDOT has endeavored to lease back to the industries as much of this property as possible. Such is the case with Ranier Brewery.

9. Parking

Near Ship Canal Park, WSDOT has leased a parking lot to the Seattle First National Bank. The lot is under and adjacent to the elevated I-5 highway. The lease was written for a three year period with an annual rate of $7,500. Improvements were made by the bank.

10. Harborview Parking Garage, Park

Between Jefferson and Alder Streets, on the uphill side of I-5, in downtown Seattle, WSDOT has leased adjacent property to the Harborview Medical Center for their construction of a three level parking structure. On the roof of this garage is

DEPARTMENT of MOTOR VEHICLES
DRIVER LICENSING

DRIVER LICENSE BUREAU

a landscaped, public park easily accessible to the hospital and an adjacent subsidized housing project.

Harborview Medical Center is owned and operated by King County. With their expansion, added parking space became necessary. There was a general unwillingness to take additional residential property east of the hospital. Between the hospital building and I-5 was a substantial area acquired by WSDOT for embankment and erosion control on the uphill side of the highway. Harborview combined some of its own property and leased on a long term mutual benefits basis property from WSDOT to package a large enough site for an entire garage. On the roof is a pleasant park with a view of I-5, downtown Seattle, and Puget Sound beyond.

The lease terms, as operating, are mutual benefits. The garage and park were entirely funded by King County. Revenues from use of the garage are collected by the County. There is a provision in the lease, although it has not been enforced to date, that any revenues above those required for debt service and operating costs of the garage, must be refunded to WSDOT.

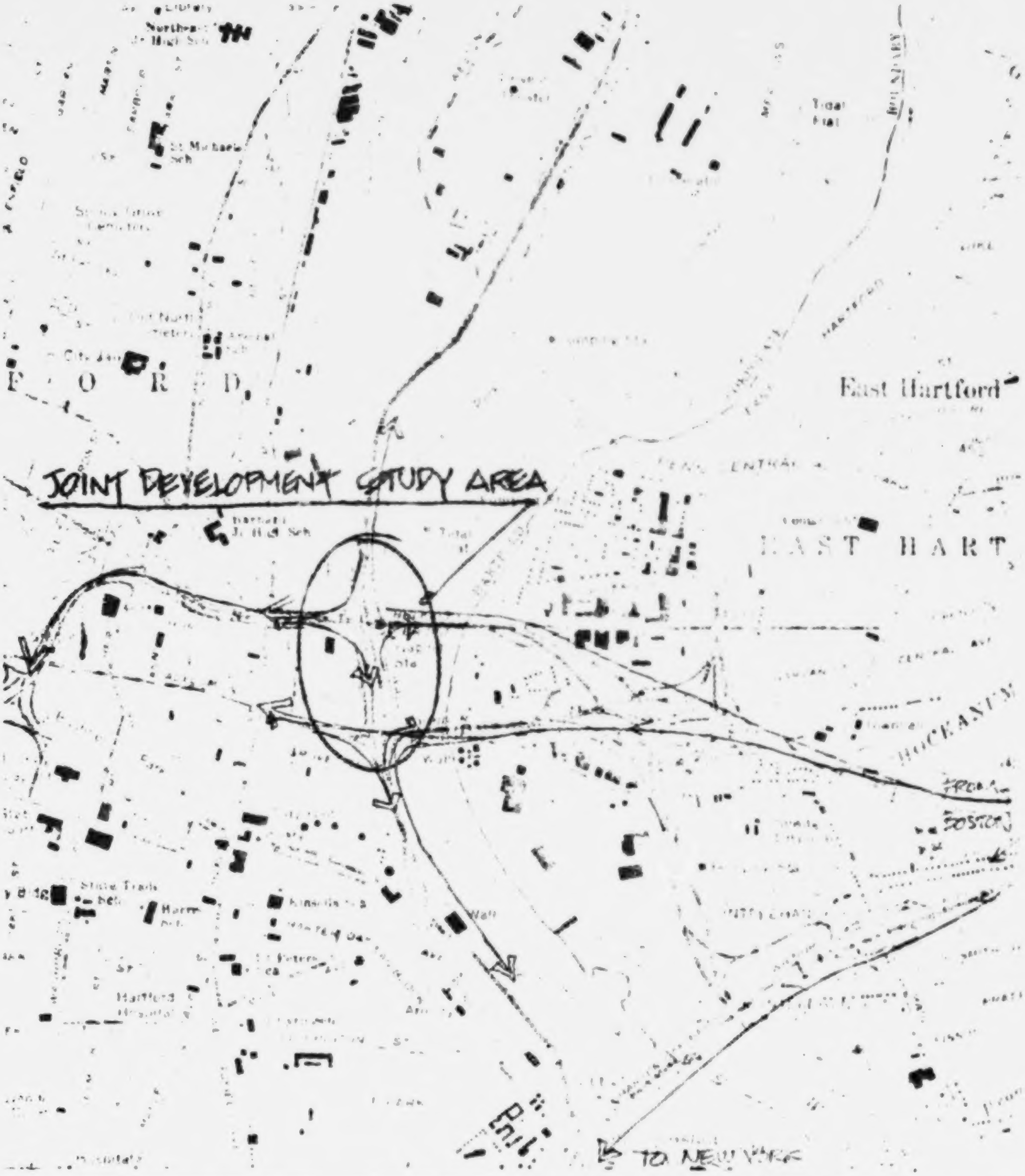
11. Driver License Bureau

At several locations in Seattle and across Washington, WSDOT uses its own highway ROW for its own management, maintenance, and operations purposes. There are many maintenance yards under and adjacent to highways. In one case, a Drivers License Bureau headquarters has been built under a segment of I-5.

MAJOR ACHIEVEMENTS

In each of these examples there is a combination of financial and environmental design benefits which has been created by the joint development activity. At a minimum, WSDOT has began to alleviate itself of a costly maintenance burden, while at the same time providing for an improvement to the immediate highway environment. In certain cases the cooperation between the City of Seattle and WSDOT has achieved these benefits at minimum cost to both parties -- and the Federal Government. Each of these projects is testimony to effective State highway department property management (Point 3, Ten Point Program).

A long term view of the situation, however, makes the program even stronger. A generous land taking policy with highway construction has produced a resource only ten years later where WSDOT is just beginning to benefit. The taking pattern involved rationales of both embankment control, remnant acquisition, and environmental protection. Important to the disposal program is that WSDOT has not said that it cannot dispose of property because it was acquired for the highway and therefore must be still needed.


JOINT DEVELOPMENT STUDY AREA
FROM BOSTON
TO NEW YORK
East Hartford
EAST HART
F O R D
PENN CENTRAL
HOCKANUM
St. Michaels Sch
Hartford Hospital
St. Peters

I-91 REDESIGN : LOCATION MAP

7.9 I-91 Redesign Hartford, Connecticut

PROJECT OVERVIEW

In 1979, the Connecticut Department of Transportation (Conn DOT) in cooperation with the M.P.O. began a study of the entire highway network in the Hartford region for the purposes of increasing traffic safety and accommodating the current system of roads to the reality that several interstate segments have been cancelled and others deteriorating today. Furthermore, growth and development in the Hartford region has required modifications of the highway system to accommodate increased traffic demands as well as intermodal shifts. While Conn DOT has been active in its development of carpool/commuter lots, greater transportation systems management efforts are required, particularly for the crossing of the Connecticut River into downtown Hartford.

To address these issues, Conn DOT asked an independent engineering firm, H.W. Lochner, Inc., to prepare a study of the entire highway system, identifying problems, developing conceptual solutions, and making specific improvement recommendations. Conn DOT has been working closely with Lochner to identify alternative solutions for the various highway segments. Considered alternatives include capital intensive reconstruction, low capital renovation, management, and traffic control mechanisms.

PROJECT ELEMENTS

This study examines only a small portion of the Lochner study -- a segment of Interstate 91 one half mile long extending south from the I-84 interchange adjacent to downtown. This segment of highway, built originally in 1959 to thirty mile per hour design speeds, separates the city center of Hartford from the Connecticut River. Of particular importance to joint development are not only the various alternatives being considered (and criteria used to compare and evaluate), but also the study process which is currently involving city and business representatives, the FHWA Division Officials and Conn DOT. So far no specifically labelled joint development exists in the project, although principles are considered integral to the project.

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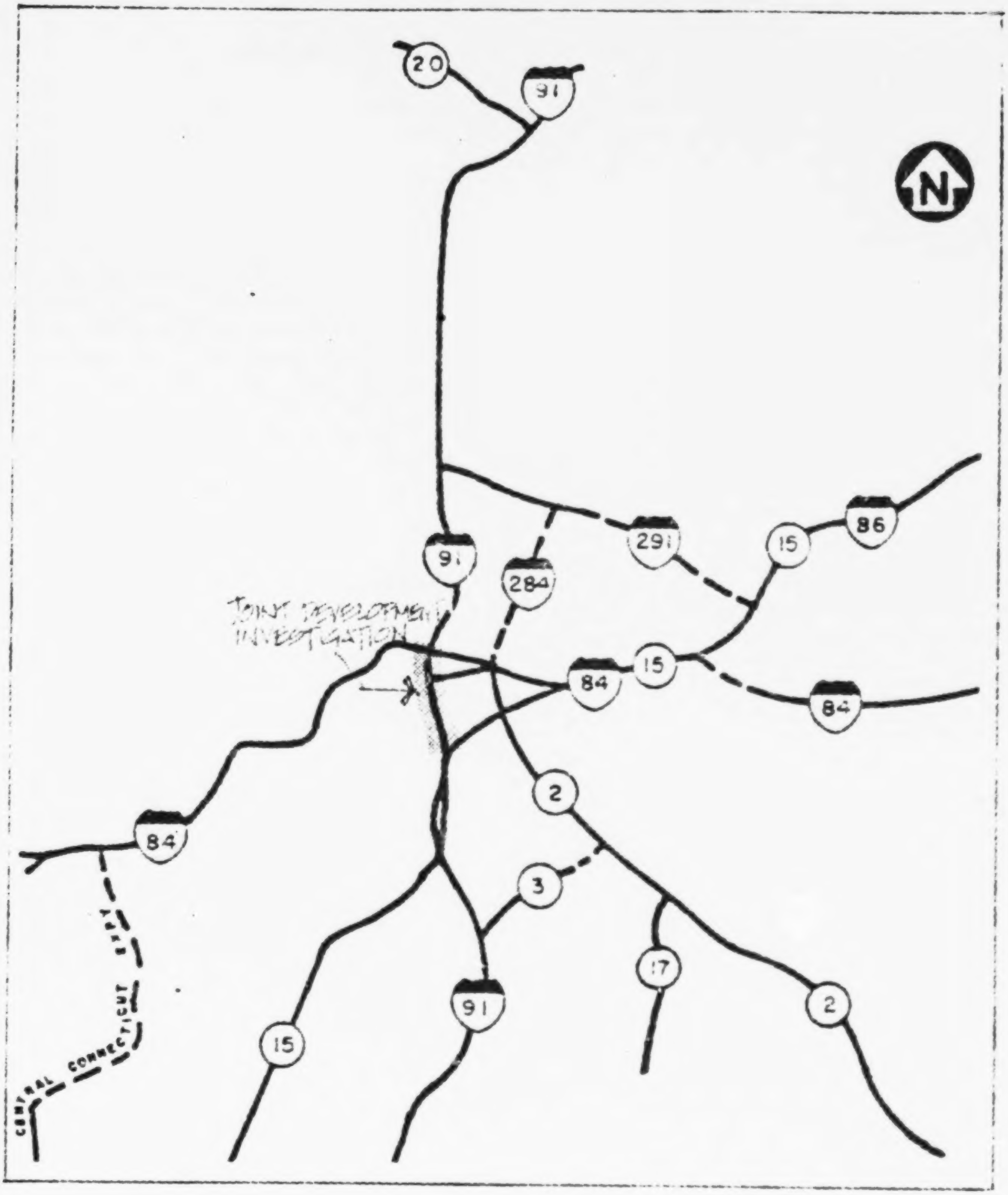
20
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86
JOINT DEVELOPMENT INVESTIGATION
84
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84
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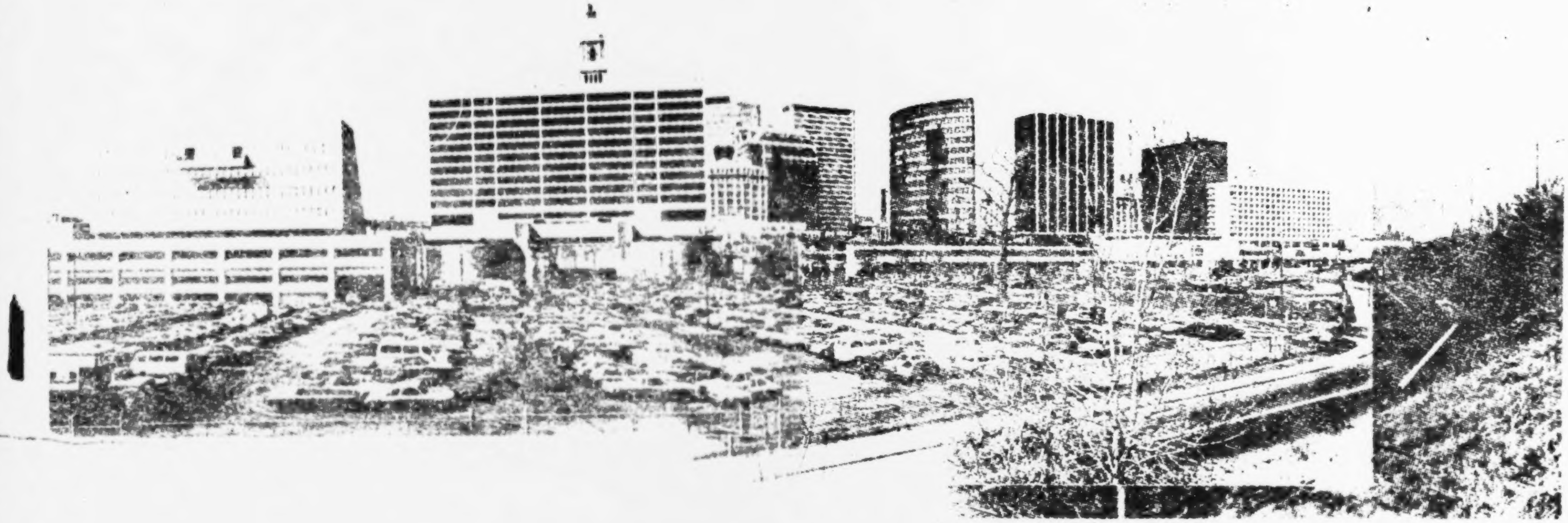
84
3
17
91
2
15
CENTRAL CONNECTICUT EXPY

LOCHNER STUDY BOUNDARIES
(H.W. Lochner Inc..
Study, Sept. 1979, continuing)

Elements	Technique	Property	Participants
1. Planning Process	Negotiation Involvement of City, Business Leaders with Conn DOT	Air Rights, Adjacent non-ROW Property Considered	Conn DOT, FHWA, City Government. Chamber of Commerce
2. Option A (Minimum Change)	Road Reconstruction, Land Acquisition	Development Parcels Diminished through Takings	Conn DOT, FHWA, City Government. Chamber of Commerce
3. Option B (Preferred)	Minimize Takings, Create Air Rights Deck with Option for Second	Takings minimized (Adjacent). Air Rights Use Potential Created	Conn DOT, with Hartford Redevelopment
4. Option C (1 Deal Traffic Improvements)	Takings maximized -- No Development Potential	None Created, Net Loss	Conn DOT, FHWA, City Government. Chamber of Commerce

1. Planning Process

Over the past decade the Connecticut Department of Transportation has had to respond to a highly sophisticated constituency -- who have acquired abilities of terminating highway construction projects both in political arenas and in the Courts. Conn DOT, under the leadership of its own Commissioner, an ex-mayor, and under the influence of the Divisional FHWA Administrator, has chosen a course of planning which considers transportation as a service function: to cities, to city centers, to industries, to adjacent land parcels, to residential districts, and to other areas. In short, the best transportation plan would be one which achieves the best possible use of corridor land. Additionally, Conn DOT



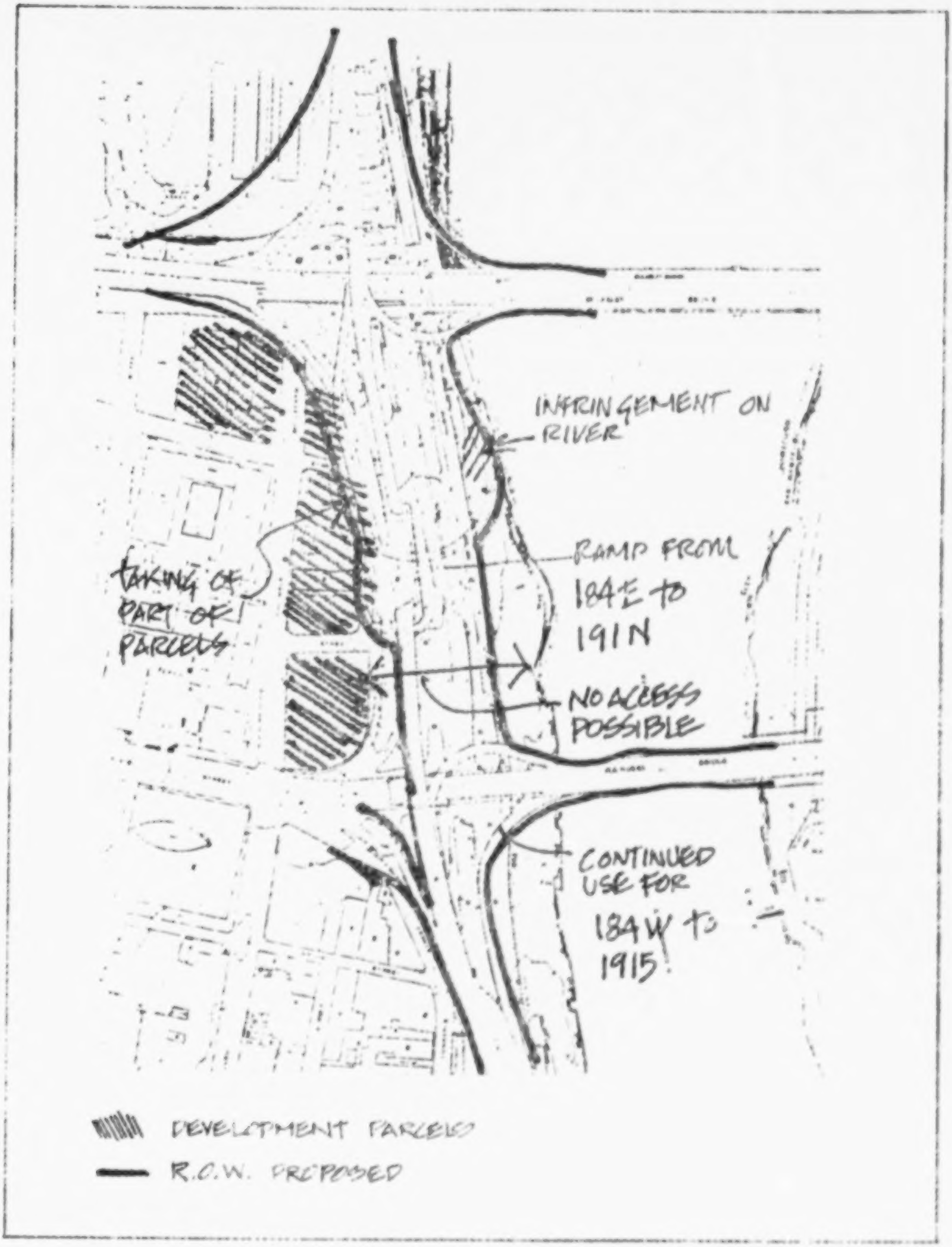
VIEW OF DEVELOPMENT PARCELS FROM I-91

is responsible for both the State's highways and its transit systems. Mixed modal construction projects (Park and Ride) and other management devices such as high occupancy vehicle lanes are not inter-organizational struggles but second nature.

Conn DOT commenced the Hartford area highway study early in 1979. By May, a preliminary problem analysis had been accomplished and conceptual alternatives identified for the downtown Hartford highways. Instead of allowing the consultant planning process to run its course -- and be finished in June 1980 -- Conn DOT began a negotiation process with the City of Hartford and its business leaders specifically to refine highway reconstruction alternatives such that the preferred scheme not only increases transportation safety and efficiency, but also supports the land development objectives of the City of Hartford.

To effect this liaison, the Commissioner of Conn DOT called the current Hartford Mayor and arranged that their staffs should work together towards the goal of producing a highway plan supportive of City growth and industry. (The Commissioner, being an ex-mayor in Connecticut, prefers to use the telephone, not to write memoes). The Mayor then asked his staff department and key business individuals represented by the Downtown Council, Hartford Chamber of Commerce, to work with Conn DOT on the development of highway alternatives. A special planning review process was established, occurring prior to the legally required public hearings for the environmental assessment and A-95 processes.

This review process has been occurringsince September 1979, with Conn DOT running a series of "informational" meetings with the Mayor, City Planning, Traffic Engineering, Redevelopment, Police, Public Works, and other professional departments, the Chamber of Commerce, Downtown Council, and the insurance companies. Additional coordination with the Capital Region Council of Governments (CRCOG) is occurring. The meetings have been arranged on two week schedules. At the first meeting, Conn DOT and its consultants present design options for a specific highway segment. The review group is given two weeks to review and consider the alternatives presented. At the end of this period, they respond, at another meeting, with their comments. Conn DOT organizes a third meeting to respond back to the group with relevant design changes in the alternatives. In this process, which has been underway for nine months, there have been five sets of reviews. One alternative has been eliminated, and several major and minor changes have been made to the remaining three options. The concerns of the Hartford City departments and business interests have been wide ranging but concentrating upon increasing the developability of remaining


INFRINGEMENT ON RIVER
RAMP FROM 184E TO 191N
TAKING OF PART OF PARCELS
NO ACCESS POSSIBLE
CONTINUED USE FOR 184W TO 191S
▨ DEVELOPMENT PARCELS
— R.O.W. PROPOSED

ALTERNATIVE "A"

downtown land and improving the access to downtown -- by both autos and transit patrons -- to make commercial enterprise more viable and commuting trips more pleasant.

By this process, joint development issues, or issues of land development associated with a highway, have been surfaced early in the plan making stages. Alternative highway proposals are being considered not only for their highway improvement effectiveness, but also by how well they support the land development and business context in downtown Hartford. By identifying and refining alternatives in this manner, Conn DOT hopes to smooth and ease the appropriate and neccessary urban and environmental review process which will occur as preliminary engineering and design commence.

Design Options

Three reconstruction options for the I-84 to I-91 interchange are being considered. A fourth alternative, involving double decking, has been eliminated from consideration. These three, as shown, are as follows:

A. minimum reconstruction
B. moderate reconstruction/depressed
C. maximum reconstruction/traffic ease.

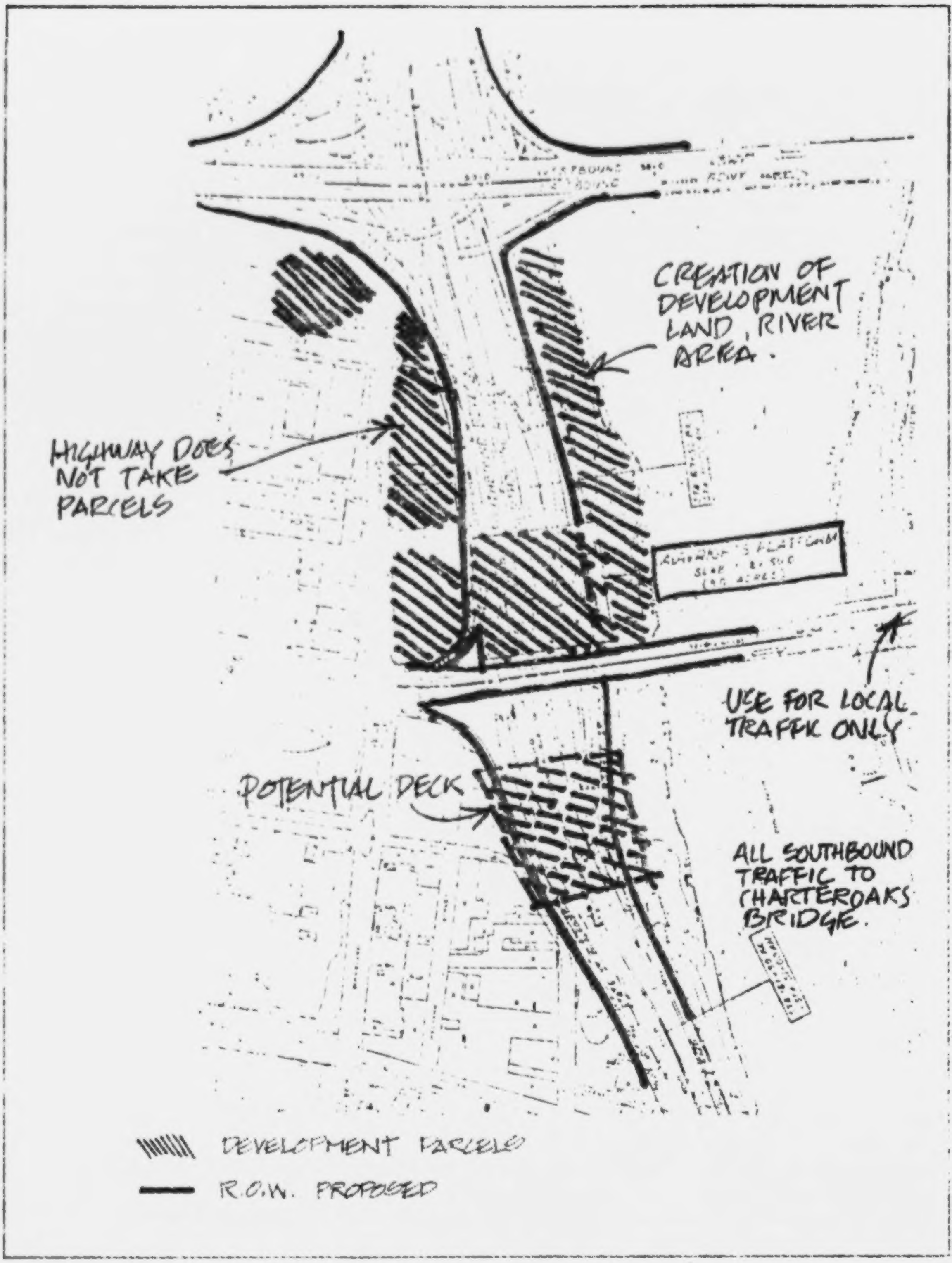
These alternatives are being considered against many criteria, including several specifically related to joint development -- cost, land acquisition requirements, development parcels created, environmental considerations, and traffic impacts. The following discussion of each alternative does not consider all the benefits and impacts of each but rather concentrates on those related to city development issues.

2. Alternative A

Alternative A has been designed for minimum reconstruction with maximum transportation benefits -- specifically by the addition of ramps and turning movements not currently available. This option requires the acquisition of portions of development parcels one and two and prevents access from downtown to the Connecticut River front. Alternative A also infringes upon the river edge, triggering a series of potentially negative environmental impacts. While improving safety and traffic flow, the ramp design speeds are still less than those preferred in non-urban contexts.

3. Alternative B

Alternative B is the preferred plan of Conn DOT, Hartford officials, and business leaders. It involves depressing


CREATION OF DEVELOPMENT LAND, RIVER AREA.
HIGHWAY DOES NOT TAKE PARCELS
USE FOR LOCAL TRAFFIC ONLY
POTENTIAL DECK
ALL SOUTHBOUND TRAFFIC TO CHARTEROAKS BRIDGE.
DEVELOPMENT PARCELS
R.O.W. PROPOSED

ALTERNATIVE "B"

the roadway and the creation of a 340' wide air-rights deck over the highway. While a small portion of parcel 1 is taken for the highway, over three acres of deck space as well as the riverfront are made available for development. Negotiations concerning this alternative have concentrated on pushing the highway ramps as far into the right-of-way (and off the development parcels) as possible. Implementation of B is easier than either A or C, and the cost is between the two. Design speeds on the ramps are only 30 mph, although decision making distances are increased. These geometric conditions are also less than non-urban standards.

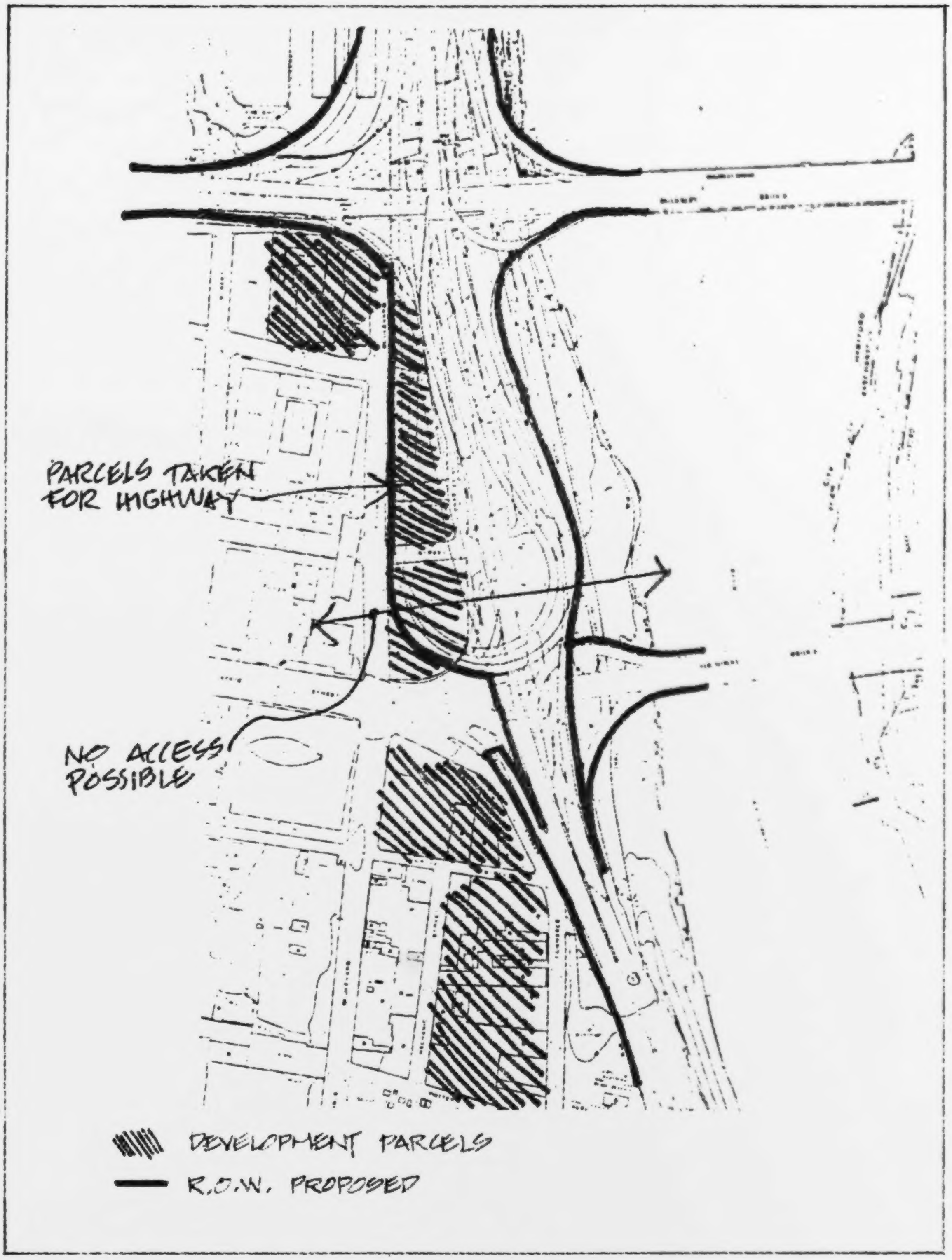
4. Alternative C

Alternative C was designed to be the best alternative strictly from a transportation point of view. It achieves the highest ramp design speeds by way of a bow-tie type of interchange configuration. It requires maximum land acquisition -- 100 percent of parcels 1, 2, and 3 -- and prevents access from Hartford to the Connecticut River front. Alternative C is the highest cost option of the three and the least preferred by the Hartford business community.

JOINT DEVELOPMENT TECHNIQUES

The State of Connecticut was an early pioneer in highway related joint development. The predecessor of Conn DOT built and leased floor space for highway service concessions. Currently, Connecticut's own Urban Initiatives legislation gives Conn DOT and local transit entities wide development and investment powers to exercise in conjunction with transit development. When related to highway, however, Conn DOT prefers to transfer development responsibility to local government authorities, rather than pursue its own active involvement. Conn DOT will pursue methods of intergovernmental cooperation but will defer to local authorities for establishing and managing public-private partnerships.

Along I-91, Conn DOT will use its power and available funding to create the best feasible context for land development but will transfer control over created development parcels. For instance, the air-rights deck will be transferred to the Hartford Redevelopment Authority, who currently own the adjacent development parcels. Since a final decision on the preferred alternative has not yet been taken, no detailed arrangements for funding or control have been made.

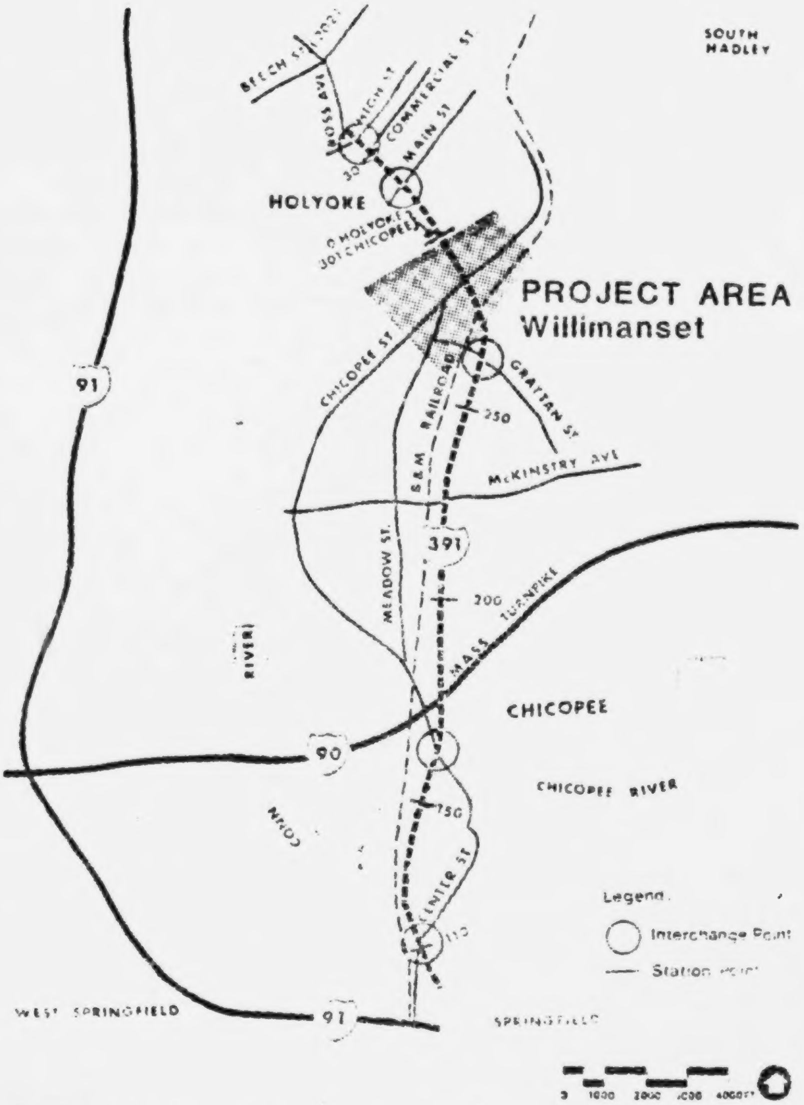

PARCELS TAKEN FOR HIGHWAY
NO ACCESS POSSIBLE
▨ DEVELOPMENT PARCELS
— R.O.W. PROPOSED

ALTERNATIVE "C"

MAJOR ACHIEVEMENTS

The greatest achievement of the Hartford I-91 study is the process by which Conn DOT is designing major transportation improvements taking into consideration major city growth and land development issues, working with the MPO, city, and private sector in informational meetings (effective local implementation of Points 1, 2, 4, 5, of Ten Point Program). These other interests are exercising a real opportunity to affect highway design decisions -- at a stage in the process when there has not been a substantial investment in any single design decision. Time and engineering costs will be reduced, and it is likely that the final outcome will be of the highest quality.

VIEW ALONG I-91, LOOKING NORTH


SOUTH HADLEY
BEECH ST
ROSS AVE
HIGH ST
COMMERCIAL ST
MAIN ST
HOLYOKE
0 HOLYOKE
301 CHICOPEE
PROJECT AREA
Willimanset
91
CHICOPEE ST
RAILROAD
B&M
GRATTAN ST
250
McKINSTRY AVE
MEADOW ST
391
200
MASS TURNPIKE
RIVER
CHICOPEE
90
CHICOPEE RIVER
CONN
150
CENTER ST
Legend
Interchange Point
Station Point
WEST SPRINGFIELD
91
SPRINGFIELD
0 1000 2000 3000 4000FT

I-391 WILLIMANSET:
LOCATION MAP

VIEW TOWARDS
EAST FROM
WHITMAN ST.

7.10 I–39 Willimanset Joint Development Chicopee, Mass.

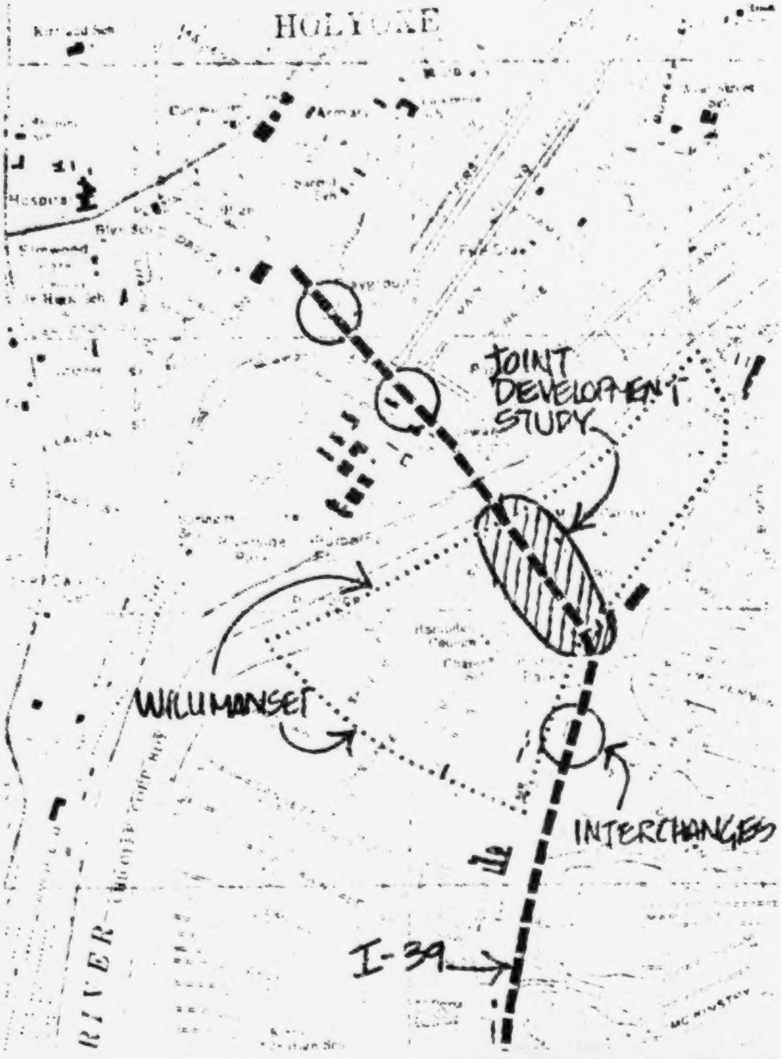
PROJECT OVERVIEW

The Willimanset joint development project involves planning for the implementation of 5.7 acres of development under and adjacent to an interstate spur, I-391. The highway crosses the Connecticut River from the Holyoke City center, passes through Willimanset center, and heads south to the Chicopee city center. Willimanset is one of five "village" centers in the Town of Chicopee.

Highway planning began in the mid 1960's. By 1969, local opposition to the highway design in Willimanset, combined with the emergence of NEPA and the promulgation of the new Federal Highway Administration policy supporting joint development, caused the commencement of a joint use study by the highway engineering consultants. The study presented several options for redesign of the Willimanset highway section over Chicopee Street. Each of these options proposed longer elevated sections of roadway over Chicopee Street, the main commercial arterial of the area, in order to allow public and private development to occur under and adjacent to the highway. Previous highway plans had called for the entire section of highway to be on an embankment with only a small bridge spanning the street and its two sidewalks.

The Massachusetts Department of Public Works (Mass DPW) agreed to an additional roadway expense of close to three million dollars for construction of an 840 foot elevated roadway in this area.

Currently, ten years after the initial study, the highway is under construction and expected to be complete in two years. The city government has become involved in the preparation of detailed development plans for the joint use area. In the elapsed ten year period no development plans were prepared by the City or by Mass DPW. The period can be characterized as a waiting period, with no single party taking the first step to begin implementation planning for any improvements. Mass DPW has no plans to use any site development funds in the area, although they have not accepted a city initiative.


HOLYOKE
JOINT DEVELOPMENT STUDY
WILLIMANSET
INTERCHANGES
I-39
RIVER

I-39 WILLIMANSET:
AREA MAP

CHICOPEE ST.:
VIEW TOWARDS
EAST

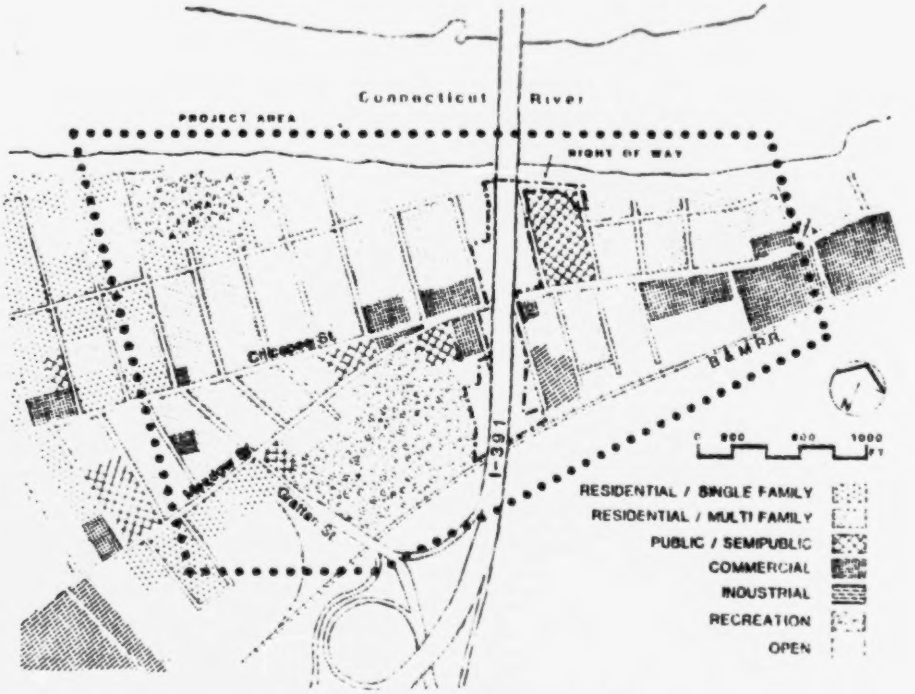
JOINT DEVELOPMENT ELEMENTS

There are four Joint Development elements identified in the Willimanset project. Two have been implemented, and two are still in their proposal stages.

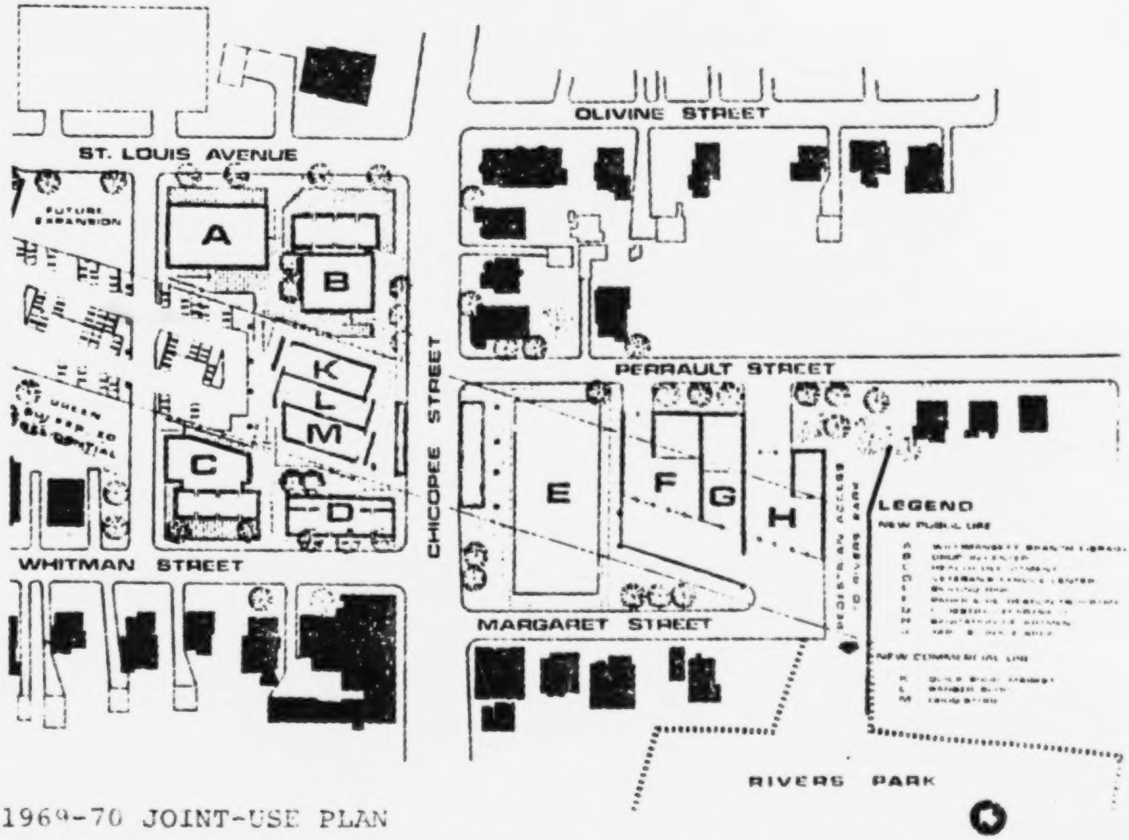
Elements	Techniques	Property	Participants
1. Highway Modifications	Interstate Funds Use on ROW	ROW	Mass DPW/ FHWA, Chicopee
2. Joint Use Study	Federal-aid Planning Support	ROW only	DPW/FHWA, Chicopee Consultants
3. Public, Recreation, and Parking, Site Improvement	Intergovernmental Cooperation -- Active	ROW -- Under, Adjacent	DPW/FHWA, Chicopee
4. Private Development (Proposed)	Land Transfer to Local Redevelopment Authority; Lease to Private Sector	ROW -- Under, Adjacent	Chicopee, Private

1. Highway Design Changes

The 1970 JointUse Study and Chicopee Mayor were responsible for persuading Mass DPW and FHWA to accept a major design change on I-391 in Willimanset with an estimated additional cost of $3 million dollars. Original highway plans called for the entire Willimanset segment to be constructed on an embankment with only a street and sidewalk bridge at Chicopee Street.


Connecticut River
PROJECT AREA
RIGHT OF WAY
Chicopee St.
Meadow St.
Grattan St.
B. & M. R.R.
I-391
0 200 600 1000 FT
RESIDENTIAL / SINGLE FAMILY
RESIDENTIAL / MULTI FAMILY
PUBLIC / SEMIPUBLIC
COMMERCIAL
INDUSTRIAL
RECREATION
OPEN

LAND-USE AREA MAP


ST. LOUIS AVENUE
OLIVINE STREET
FUTURE EXPANSION
A
B
K
L
M
C
D
E
F
G
H
PERRAULT STREET
CHICOPEE STREET
WHITMAN STREET
MARGARET STREET
PEDESTRIAN ACCESS TO RIVERS PARK
LEGEND
NEW PUBLIC USE
NEW COMMERCIAL USE
RIVERS PARK

1969-70 JOINT-USE PLAN

The revised plan was drawn to accommodate neighborhood pedestrian and vehicular activity, as well as the commercial nature of Chicopee Street. This plan, which was accepted, places I-391 on an 840 foot long viaduct, over Chicopee Street. It creates two development parcels, one on each side of the street, with a combined area of 5.7 acres.

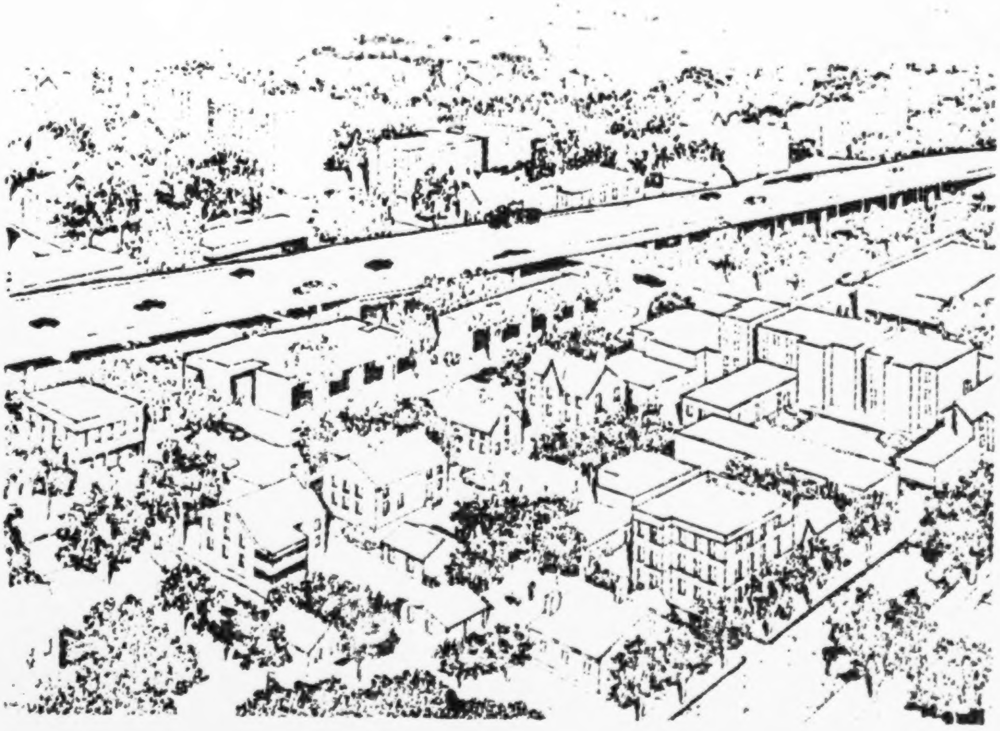
Had this change not been made to the highway, it would have physically cut off a small neighborhood of 400 families, a triangular area already bounded on two sides by the Connecticut River, and Boston and Main Railroad tracks.

2. 1969/1970 Joint Use Plan

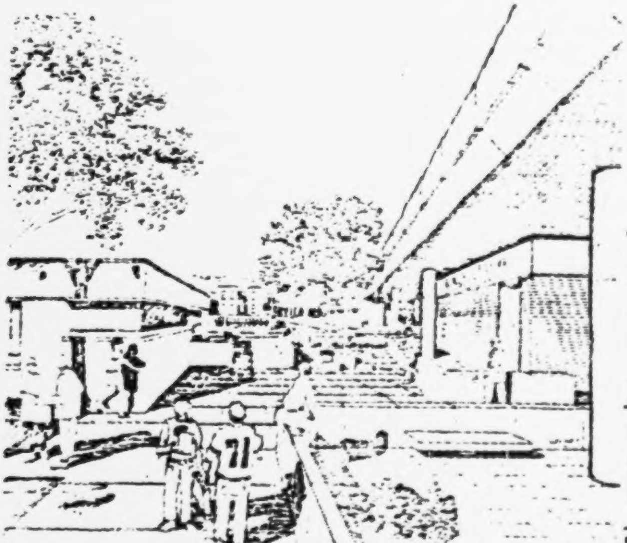
The joint use development planning process began in 1969 with the confluence of several events. Already mentioned were the new NEPA regulations and FHWA policies. The growing dissatisfaction, both in the neighborhood and in the city government, with the details but not overall intent, of the highway plans had been creating a conflict between Mass DPW and the City Government. The Joint Development planning process acted as a conflict resolution tool.

Then Mayor of Chicopee, Richard A. Demers, and his city department heads were able to negotiate highway design changes and local land development options with Mass DPW, FHWA and the regional planning commission (MPO). The negotiations were seen by FHWA and Mass DPW officials as a means of avoiding the then prevalent highway planning outcome of the Boston region -- cancellation of projects. They saw the joint development study process as a mechanism to achieve transportation objectives, getting the highway built -- and also to make the highway fit more sensibly and sensitively into its local land use context.

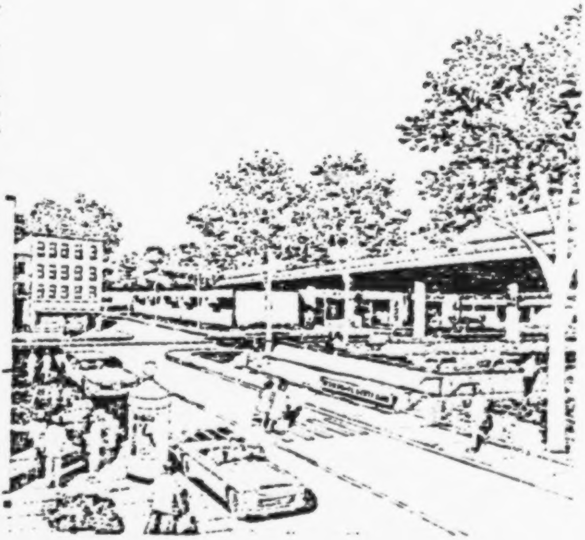
As in Louisiana, the consultant asked to prepare the study was a local (Boston) engineering firm familiar with highway planning and design, and then working for Mass DPW on the highway itself. The study proposed highway design changes already mentioned, as well as various recreational, private commercial, and public office space uses for the property, to become available. The intent of these specific proposals was not to cause their construction, exactly as in the plan, but rather to show, in a detailed, explicit fashion, how commercial, office, and recreational development could occur with the new viaduct structure. Within this framework, the planning process has been successful to date. The next step, a detailed development implementation/packaging process is just now getting started.



1967-70 JOINT-USE PLAN:
Aerial View Towards Northeast



1967-70 JOINT-USE PLAN:
Proposed plaza, library,
and drop-in center



1967-70 JOINT-USE PLAN:
Proposed Skating rink,
Veterans and commercial uses

3. Recreation, Parking, and Site Improvement

Planning for a real development on the 5.7 acres of available property has begun. Key ingredients in a successful process are timing, local market conditions, cooperation of Mass DPW, available Federal-aid funds, land transfer potential, the development entity, and the active support of key individuals, such as the Mayor and State Representatives (one, the ex-Mayor Demers). Planning for and packaging an area development which included private investment as a component is being managed by the City Government with State-aid highway planning funds. This is occurring within a short enough time horizon for market conditions to be predictable and private financial commitments to be acceptable.

The city is managing this process with the assistance of the MPO and including the joint development activities into the Transportation Improvememt Plan (TIP) prepared by the MPO. The first activities will involve site improvement of the development area, as per the current FHWA guidelines. Of major importance to the recommencement of the joint development planning process has been the city's knowledge of allowable and eligible joint development activities, as defined by FHWA. Without such knowledge of these activities, the city would not have been able to negotiate successfully with Mass DPW.

Procedurally, the Mayor of Chicopee, advised by his Planning Director, contacted the Commissioner of Mass DPW to request a meeting and prepare a development proposal for the project area. Mass DPW accepted both the invitation and proposal. The City will proceed to hire consultants, prepare detailed site development plans, and request their funding by Mass DPW/FHWA.

4. Private Investment

Local market conditions, such as the population growth rate, commercial absorption rates, cost of money and profitability of development will determine whether the private investment component of the Willimanset project will be able to move forward. If these conditions are not such that private development/ new construction is currently feasible, then three options will result:

1. The entire project can be cancelled.

2. The private development can be publically subsidized, through a variety of techniques such as land write downs, tax incentives/abatements, or infrastructure provision and site improvement.

3. A public agency, such as Chicopee's urban renewal authority can continue with the public development elements, and

bank a parcel until market conditions would support private development.

The availability of Federal-aid funds will be a critical factor in attracting any private investment to the Willimanset area. The construction of buildings under or immediately adjacent to I-391 will involve additional construction costs for safety and protection purposes. Additionally, site work-street repair, sidewalks, parking, lighting and other urban landscape elements will be needed to make the Willimanset development site as attractive to development as other unencumbered nearby sites. Experience in public-private development shows that a site becomes significantly more attractive to a developer when front-end expenses can be borne by the public sector. Thus, whether Federal-aid funds are considered as "seed money," or independent urban landscape funds, their availability will substantially increase chances for the development happening.

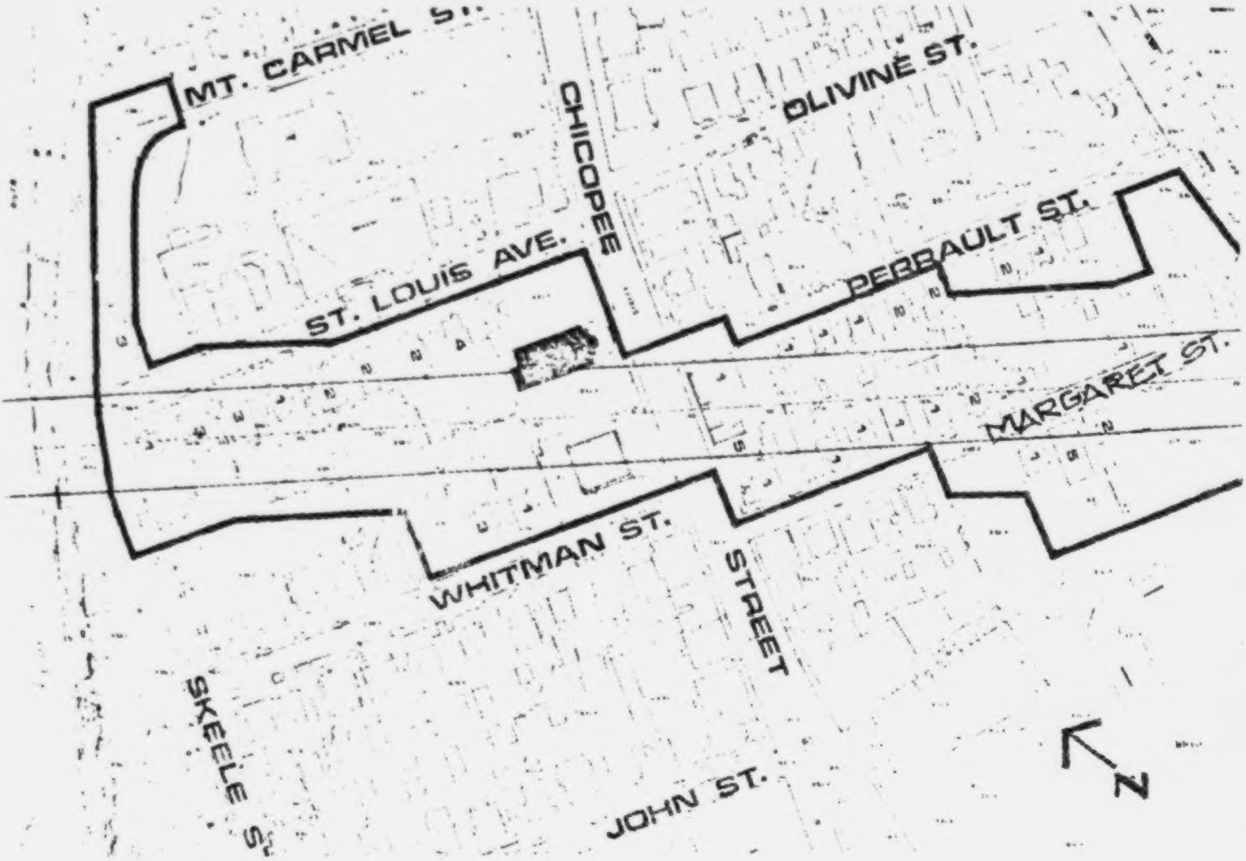
Having an appropriate development entity, with necessary funds, powers, and decision capability will be a major factor in the implementation of any local plans. The entity must be capable of acquiring land (in fee or by long term lease agreement) from Mass DPW. Mass DPW has indicated that it prefers to release property, such as exists in Willimanset, to units of local government rather than contract directly with private interests. In this case, a local urban renewal authority would be an appropriate entity. In other cases, a CDC or other specific Corridor Development Corporation may be appropriate.

A further factor which is often overlooked but remains essential to every successful project is the role of key individuals in pushing project implementation. Key personnel -- whether in one or another public agency, private citizens or elected government officials -- will be the driving force behind a complex, multi-faceted process. The interest and commitment of one or two persons and their ability to continue negotiations as other actors change will be a major cause of a successful project.

JOINT DEVELOPMENT TECHNIQUES

The Massachusetts Department of Public Works is relatively limited in its ability to carry on development activities involving private investment and to contract with private developers. By practice, Mass. DPW prefers to transfer control of surplus property to a local public agency -- for instance, an urban redevelopment authority or general town government with a long term lease. This local agency would then be empowered to enter into contractual relations with private developers/investors in a Joint Public-Private development venture.

In Willimanset, it is likely that such a series of arrangements will be made. As such, joint development will be a two step operation involving State and city governments. A combination of long term leases and intergovernmental cooperation is likely.


MT. CARMEL ST.
OLIVINE ST.
CHICOPEE
ST. LOUIS AVE.
PERRAULT ST.
MARGARET ST.
WHITMAN ST.
STREET
SKEELE ST.
JOHN ST.
N

RIGHT OF WAY AND RELOCATION PLAN

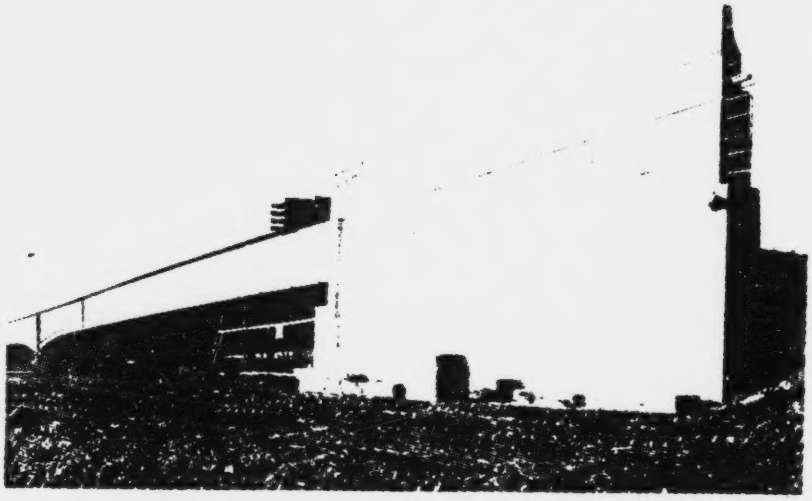
RIGHT OF WAY CLEARANCE : LOOKING SOUTH

CHRONOLOGY

1964		Allocation of additional interstate mileage to Commonwealth of Massachusetts.
1965		Public hearings on location of I-391, Chicopee and Holyoke, Massachusetts, December 13 and 14, 1965.
1966		Location approval from FHWA for I-391. Report by Brown Professional Engineers, April.
		Master Plan for Chicopee, prepared by Pederson & Tilney -- Coulding Associates.
		Construction of I-391 emphasized as essential factor in Chicopee's future development.
1967	August	Basic Design Report I-391 prepared by Brown Professional Engineers.
1968		Approval of Basic Design by FHWA (January 9).
1968		City of Chicopee requests to DPW and FHWA for a study to evaluate feasibility of replacing earth embankment of highway in Willimansett with viaduct incorporating joint use potentials.
1969		Decision to proceed with joint development study. Reversed a decision of April 30, 1969; an additional public hearing will be required by PPM 20-8.
1970		I-391 Joint Use Study by Sverdrup & Parcel.
		Modification of basic design to incorporate viaduct and joint-use alternative.
1972		Environmental/Section 4(f) Statement for I-391 in the Willimansett Section of Chicopee, Massachusetts, Sverdrup & Parcel. Prepared in draft.
1974		Draft Environmental Impact Statement I-391 Chicopee-Holyoke. Submitted to all involved agencies.
1975		Draft Section 4(f) Determination I-391 Chicopee-Holyoke.

CHRONOLOGY (continued)

1977	Final Administrative Action by FHWA on I-391 Environmental Impact/Section 4(f) statement.
1979	Construction start on Willimansett Area of I-391.
1980 May	Mayor of Chicopee invites Commissioner of Mass. DPW with proposal to proceed with joint development implementation.
1980 June	Meeting between Mass. DPW and City of Chicopee, with local State representatives, presents requests to proceed with joint development activities. Mass. DPW agrees.



CONNECTICUT RIVER BRIDGE AND HIGHWAY CONSTRUCTION

MAJOR ACHIEVEMENTS

This project shows how Joint Use planning can be effectively used at an early stage in the highway design process (Points 1, 4, 9, Ten Point Program) to create joint development opportunities and to achieve a more acceptable highway planning and construction process. During the study, significant opportunities were identified; alterations in highway design allowed them to be integrated into the highway plans. The next step is to take advantage of these opportunities.

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The Report on Highway Joint Development

Part III Project Reports & Bibliography

7

Project Reports

7.1 Scotlandville, Baton Rouge, Louisiana
7.2 Claiborne Avenue, New Orleans, Louisiana
7.3 Omaha, Nebraska
7.4 Chain of Lakes, Nebraska
7.5 Freeway Park, Seattle, Washington
7.6 Cherry Street, Seattle, Washington
7.7 Arboretum, Seattle, Washington
7.8 Miscellaneous Leases, Seattle, Washington
7.9 Hartford, Connecticut
7.10 Willimansett, Chicopee, Massachusetts

8

Research Method & Bibliography

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8.2	Project Analysis	123
8.3	Institutional Issues	129
8.4	Financial Issues	132
8.5	Environmental Design Issues	135
8.6	Planning and Development Process Issues	139
8.7	Legal Issues	141

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Chapter 8 Research Method & Bibliography

8.1 INTRODUCTION

The research underlying the analysis and findings and recommendations presented in this report was prepared by Stull Associates in conjunction with a Consultant Resource Team (Robert J. Harmon Associates and Cambridge Systematics, Inc.). Research comprised reviewing FHWA internal material, published and unpublished research, Federal and State legislation, and the carrying out of indepth project analysis for ten projects in five States.

Research material was compiled by Stull Associates and discussed with members of the Consultant Resource Team and FHWA personnel in several lengthy work sessions. Final recommendations were prepared and reviewed by the Consultant Resource Team before presentation to FHWA.

8.2 PROJECT ANALYSIS

In the course of this research, Stull Associates investigated in depth ten highway related joint development projects in six cities. Additionally, many other known projects were reviewed by telephone interviews or literature research.

For each of the ten indepth projects analyzed and discussed in Part III of this document, personal interviews were held with as many project participants as time permitted, the sites were visited, and documentation reviewed. FHWA Divisional files were examined where available. Interviews were conducted as follows:

Scotlandville, Baton Rouge, Louisiana

FHWA:	Ken Perret, District Engineer
Louisiana DOTD:	Sydney Babin, Landscape
	Richard Currie, ROW
City of Baton Rouge:	Richard McEwan, Planning Director
	Eugene Young, Superintendent, BREC
Consultants:	Bill Conway, Modjeski and Masters

Claiborne Avenue, New Orleans, Louisiana

FHWA:	Ken Perret, District Engineer
Louisiana DOTD:	Sydney Babin, Landscape
	Richard Currie, ROW
City of New Orleans:	Harold Katner, Planning Director
	Robert Abernathy, Planning Department
	Carlos Hernandez, Planning Department
	Blaise Carriere, Director, Department of Streets
Consultants:	Bill Conway, Modjeski and Masters

I480, Downtown, Omaha, Nebraska

FHWA:	Ray Hogrefe, Division Administrator
Nebraska DOR:	Ken Gottula
City of Omaha:	Alden Aust, Planning Director
	Greg Peterson, Planning Department
	S.P. Benson, Mayors Office
	George Ireland, Comptroller

Chain of Lakes, Nebraska

FHWA:	Ray Hogrefe, Division Administrator
Nebraska DOR:	Ken Gottula

Freeway Park, Seattle, Washington

FHWA:	Bill Glover, Environmental Coordinator
	Dale Kurfman
Washington DOT:	Bob Peters, ROW
	Don Meier, ROW
	Jack Tenneson, ROW
	J. Zirkle, Director
City of Seattle:	Bill McMillan, Parks and Recreation
	Jim Parsons, Mayors Office
Consultants:	Anthony Callison, Architect
County of King:	James R. Ellis, Attorney

Cherry Street, Seattle, Washington

FHWA:	Bill Glover, Environmental Coordinator Dale Kurfman
Washington DOT:	Bob Peters, ROW Jack Tenneson, ROW Don Meier, ROW J. Zirkle, Director
City of Seattle:	Bill McMillan, Parks and Recreation (formerly Building)

Arboretum, Seattle, Washington

FHWA:	Bill Glover, Environmental Coordinator Dale Kurfman
Washington DOT:	Bob Peters, ROW Jack Tenneson, ROW Don Meier, ROW J. Zirkle, Director
Univ. of Washington:	Eric Hoyte, Landscape Architect

Miscelaneous Leases, Seattle, Washington

FHWA:	Bill Glover, Environmental Coordinator Dale Kurfman
Washington DOT:	Bob Peters, ROW Jack Tenneson, ROW Don Meier, ROW

I-91 Reconstruction, Hartford, Connecticut

FHWA:	D.J. Altobelli, Division Administrator Dave Billings
Connecticut DOT:	R.W. Gubala, Chief Engineer Avo T. Ora
City of Hartford:	John Coleman
Consultants:	Charles Pratt, Wilbur Smith Assoc. George Flannagan, Lochner Engineers

Willimansett, Chicopee, Massachusetts

FHWA:	Ed Holahan, Asst. Div. Administrator
Massachusetts DPW:	Bob Tierney, Dep. Chief Engineer George Joseph Paul McCue
City of Chicopee:	Marc Webb, Planning Director Richard Demers, ex-Mayor, current State Representative

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Washington, D.C.

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Boston
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Nebraska Department of Roads, U.S. DOT-FHWA
Omaha
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June, 1978

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Rice Center
Joint Development Report
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Washington, D.C.
June, 1979

Rivkin, Malcolm D.; Brecher, Saudia; Rivkin, Goldie W.
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8.4 FINANCIAL ISSUES

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8.6 PLANNING AND DEVELOPMENT PROCESS

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8.7 LEGAL ISSUES

The analysis of legal issues was conducted in two parts. Cambridge Systematics conducted a telephone survey of nine states* (FHWA and State DOT's), to review legal aspects of joint development in each. This brief survey was combined with a detailed analysis of the legal findings of the Rice Center, prepared by David Callies, of Ross Hardies, O'Keefe, Babcock, & Parsons. This research surveyed, indepth, the legal framework for Intergovernmental Cooperation and public-private development in four states (Texas, California, Kentucky, and Illinois). Findings were compiled and prepared by Stull Associates in conjunction with the Consultant Resource Team (Cambridge Systematics and Harmon Associates).

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